

## **CHAPTER ONE**

### **THE SECURITY SERVICES**

#### **1.0 INTRODUCTION**

**1.0.1** A requirement for every modern state is security, both internal and external, to enable it to maintain public order and protect it from external aggression. This is even more important for the new states that emerged from colonialism in the second half of the twentieth century. As with all such states, Ghana also inherited or established its own security services to serve its interests and to promote a sense of nationhood.

**1.0.2** In the course of their existence, Security Services have been responsible for the perpetration of human rights abuses and violations. These events have occurred mainly in the course of their involvement in national politics.

**1.0.3** The Commission examined the role, if any, played by the Security Services in human rights violations and abuses, during the period between 6<sup>th</sup> March, 1957 and 6<sup>th</sup>, January, 1993. In this chapter, the term “Security Services“ has been used to describe the following institutions:

- Ghana Armed Forces;
- Ghana Police Service;
- Ghana Prisons Service;
- The Bureau of National Investigations (BNI);
- The Border Guards (BG);
- President’s Own Guard Regiment (POGR0);
- Presidential Detail Department (PDD);
- The Army and Police Commandos;
- The para-military organisation, People’s Militia or Civil Defence Organisation (CDO).

**1.0.4** In the main, however, references to “Security Services” mean the first two institutions. Other agencies now recognised as part of the Security Services namely, Fire Service, Customs Excise and Preventive Service (CEPS) and Ghana Immigration Service (GIS) are not included in this chapter because there was no evidence before the Commission of their involvement in human rights violations or abuses within the mandate period.

**1.0.4** The term “Military Government” has been used loosely, to mean every government that is headed by a soldier, regardless of his rank or position in the Armed Forces. However, it is appreciated that in military terms a “Military

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Government” is one that has the Chief of Defence Staff (CDS) at the top, or at least, as a member of the ruling body.

**1.1 HISTORICAL BACKGROUND OF THE SECURITY SERVICES****1.1.1 THE GHANA ARMED FORCES<sup>1</sup>****1.1.1.1 THE GHANA ARMY**

**1.1.1.1.1** The Ghana Army, as a standing army, is deemed to have its origins in the Gold Coast Constabulary (GCC), raised in 1874 with a nucleus of 350 men of the “Lagos (Glover’s) Hausas” after the *Sagrenti* War (1873-74). However, as far back as 1821, the then Governor of the Gold Coast, Sir Charles McCarthy had raised the Royal African Colonial Corps of Light Infantry (RACCLI) but this force was nearly annihilated in the Battle of Nsamankaw, during the Anglo-Asante War in 1824. The next attempt at raising a force was the formation of the Gold Coast Corps in 1852 but this force was disbanded in 1863 for its mutinous character. The Gold Coast Rifles, established in 1873 and officered by indigenes for the *Sagrenti* War was also disbanded in 1874 for no apparent reason. It however seems that the British preferred the “fighting qualities of the Hausa race” and hence gave birth to the GCC.

**1.1.1.1.2** The GCC was re-organised in 1879 into an armed police with a strength of 975 men and was more thoroughly organised in 1886-87 after an Indian Infantry Regiment type Company with 16 British Officers, a European Sergeant Major, British NCOs and over 1,203 Africans recruited almost entirely from the Northern Territories comprising Mossi, Grunshie, Mamprusi and Frafra.

**1.1.1.1.3** From 1<sup>st</sup> January, 1901, the GCC was redesignated as the Gold Coast Regiment (GCR) and amalgamated with others from the other West Coast Colonies to form the Royal West African Frontier Force (RWAFF) under the Command of Lord Frederick Lugard. The RWAFF was charged with maintaining internal security against warring tribes and defending colonial frontiers.

**1.1.1.1.4** In 1923, the GCR was charged with the defence of the Gold Coast, the maintenance of order and any such duties as might from time to time be defined by the Governor. Thus the Governor could order the whole Regiment to be employed in the service of Her Majesty to defend the Dominion. This saw the GCR as part of the RWAFF in the Second World War.

**1.1.1.1.5** At Independence, the GCR, which had now become the Ghana Regiment of Infantry, had to be equipped to meet the new socio-political context in which it found

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<sup>1</sup> Festus Aboagye (Lt Col), *The Ghana Army A Concise Contemporary Guide To Its Centennial Regimental History, 1897-1999*, SEDCO Publishing Ltd., Accra, 1999, pp. 191-193.

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itself. There was the need to concentrate on the defence of the new nation and to meet the political aspirations of the Prime Minister, Dr. Kwame Nkrumah, in his liberation campaign across the continent. The Ghana Army was then composed of an Infantry Brigade under the Command of Brigadier D. H. Tadman. The Brigade consisted of 3 Infantry Battalions, a Recce Squadron (formerly Ghana Artillery), a Field Squadron (formerly Ghana Engineers), Ghana Signal Squadron, Ghana Army Supply and Transport Service, Ghana Army Educational Service, Ghana Army Ordinance Service, Ghana Army Medical Service, Ghana Army Electrical and Mechanical Engineers and the Ghana Army Pay Service.

**1.1.1.1.6** The need for further restructuring to meet the changing political trends in Sub-Saharan Africa compelled the government to reorganise the Army in 1959. Consequently, the Ghana Navy and Ghana Air Force were formed from the ranks of existing troops. The expanded Ghana Regiment of Infantry became the ‘Ghana Armed Forces’ (GAF), made up of Ghana Army, Ghana Navy and Ghana Air Force, and given statutory backing by The Ghana Armed Forces Act, 1962, (Act 105).

**1.1.1.1.7** The reorganisation also saw the establishment of the Military Academy and Training Schools (MATS), and the division of the Army into two Infantry Brigade Groups. In October, 1969, the ancillary services and units were grouped under the newly formed Support Services Brigade Group.

**1.1.1.1.8** Major General A G V Paley served as the first General Officer Commanding (GOC) from 1957 to 1959 but his appointment covered only the Army. When Major General Alexander was appointed in 1959, he was designated Chief of Defence Staff (CDS) in view of the formation of the Navy and Air Force. The two newer Services had their own Commanders, though the CDS, Major General Alexander, was also the Commander of the Army. It was only in 1961, when the strength of the British team was reduced, that the Army had its own Commander, Brigadier Joseph Arthur Ankrah, separate from the CDS, Major General Stephen. J A Otu.

**1.1.1.1.9** The primary roles of the Ghana Army can be defined as follows:

- (i) defending the territorial integrity of Ghana against external aggression;
- (ii) assisting the Police Service in the maintenance of public order; and
- (iii) providing relief services in times of emergency.

**1.1.1.1.10** Apart from its primary functions, the Ghana Armed Forces have the additional responsibility of supporting the United Nations UNO), the African Union (AU), and the Economic Community of West African States (ECOWAS), in international and regional peacekeeping operations. These responsibilities have internationalised the outlook, requirements and expectations of the personnel of the GAF.

**VOLUME 4 CHAPTER 1****1.1.1.2 THE GHANA NAVY<sup>2</sup>**

**1.1.1.2.1** The Ghana Navy, composed of the Naval Headquarters and two Commands namely, the Eastern Naval Command (ENC) and the Western Naval Command (WNC), was raised in June, 1959, under the Command of the British Royal Naval Officers on secondment. The Royal Navy altered the nature of this relationship on 1<sup>st</sup> May, 1962, when it formed the Royal Navy Element of the British Joint Services Training Team. The first Chief of Naval Staff was Commodore D A Foreman, a retired British Naval Officer, who was granted Presidential Commission as a Ghana Naval Officer in that rank. The Navy began with a fleet of two HAM Class Sweepers, GNS YOGAGA and GNS AFADZATO from the British Government that were re-commissioned on 31<sup>st</sup> October, 1959. Rear Admiral David A. Hansen was transferred from the Ghana Army as the first Ghanaian Chief of Naval Staff (CNS).

**1.1.1.2.2** Naval operations generally covered anti-smuggling, fishery protection, environmental protection, search and rescue mission on a routine basis.

**1.1.1.3 THE GHANA AIR FORCE<sup>3</sup>**

**1.1.1.3.1** The Ghana Air Force was formed in May, 1959, under the Command of Air Commodore K. Jaswant-Singh of the Indian Air Force. An Israeli Training/Technical Support Team manned the training aircraft. Pakistan also provided Technical Flying Support services.

**1.1.1.3.2** In 1961, a Canadian training team arrived in Ghana to strengthen the Flying Training School (FTS).

**1.1.1.3.3** In 1963, Air Commodore J E S De-Graft Hayford was appointed the first Ghanaian Chief of Air Staff (CAS).

**1.1.1.3.4** The Air Force trained its first batch of Ghanaian pilots at Ternhill (UK) in 1961 in the use of Hindustan and Piston Provost Aircraft. So were the first Ghanaian Instructors. Other training was undertaken in the Soviet Union and Czechoslovakia.

**1.1.1.3.5** The last expatriate staff left the Air Force in 1970.

**1.1.1.4 History of Training Institutions, Training and Recruitment**

The history of training institutions in the Ghana Armed Forces began with the West Africa Command Training School (WACTS). The WACTS was established in 1940 and by 1943, had three schools under it, namely, the West Africa Command Jungle Battle School in Nigeria, the West Africa Command Clerks Training School in the Gold Coast and the West Africa Command School of Education in Sierra Leone.

**1.1.1.4.2** In 1953, the Regular Officers Special Training School (ROSTS) was established to provide six months potential officer training for cadets from The

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<sup>2</sup> See Aboagye, supra, pp.345-346.

<sup>3</sup> See Aboagye, op. cit supra, pp.349-350.

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Gambia, the Gold Coast, Nigeria, and Sierra Leone before their further training overseas.

**1.1.1.4.3** In 1956, the WACTS was re-designated the Royal West African Frontier Force Training School (RWAFFTS). From 1960 onwards the Military Academy and Training Schools (MATS) was established to provide training in Ghana.<sup>4</sup>

**1.1.1.4.4** The ROSTS was closed down on 31<sup>st</sup> March, 1960. The GMA was then formed at the Whistler Barracks from the ROSTS on 1<sup>st</sup> April, 1960. Initially one could enter the school with Ordinary Level Certificate passes. From 1971, the minimum entry requirement was an Advanced Level Certificate pass. In 1984, the structure of cadet training was changed significantly. The length of training for Regular Officers was increased from 18 months (72 weeks) to 22 months (88 weeks) consisting of 26 weeks of tri-service Standard Military Course and 62 weeks of the Regular Career Course.

**1.1.1.4.5** The Armed Forces Recruit Training Centre (AFRTC) was first designated as such on 10<sup>th</sup> July, 1960, having evolved from the Regimental Depot that was established in 1926. In 1960, the recruit intake was increased from 350 to 800 and the course duration was reduced from 35 weeks to 26 weeks for General Duty personnel, and from 24 weeks to 17 weeks for Tradesmen. Further reductions in the duration of the training were made but were subsequently reversed in 1963. The recruit training of 26 weeks consisted of physical training, map reading, drill, weapon training, field craft, and minor tactics. The training did not cover studies in citizenship and political education.

**1.1.1.4.6** The Junior Leaders Company (JLC), popularly known as Boys Company, was under the AFRTC. The JLC was to train boys of 14years –16 years in military and academic courses. They were a potential source of Instructors, Non-Commissioned Officers (NCOs) and Technicians. Some eventually made it to the commissioned Officer grade. In 1969, the JLC became autonomous when the AFRTC was moved from Kumasi to Tamale.

**1.1.1.4.7** Another military institution of interest is the Jungle Warfare School, established in 1964 at Achiase. It was intended to provide military training in jungle setting for both officers and other Ranks. In accordance with the foreign policy of the government of the First Republic, the school was also used to train African Freedom Fighters (AFF). This role was abolished in the wake of the 1966 coup d'état.

**1.1.1.4.8** The Ghana Armed Forces Command and Staff College (GAFSC) was established at Teshie in 1976, with a Senior Division at Otu Barracks and the Junior Division at the Whistler Barracks. The Senior Division has been designed to train

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<sup>4</sup> The Schools under the MATS were increased from five to ten in 1985. Currently these are Schools under the MATS: the Ghana Military Academy (GMA), Army Combat Training School (ACTS), Physical Training School (PTS), Clerks Training School (CTS), Catering Training School (CATS), School of Education, Jungle Warfare School (JWS), Engineering Training School (ETS), Signal Training School (STS), Armed Forces Mechanical Transport School (AFMTS), Armed Forces Fire Service Training School (AFFSTS), School of Ordnance and Army Drill Duties (ADDS).

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officers for Senior Command and Staff appointments in GAF and other African Armed Forces.

**1.1.1.4.9** British colonial policy attached a great deal of importance to training; hence the large number of training schools that were established, in the Gold Coast. Provision was also made for officers and other ranks to be trained abroad.

## **POST- INDEPENDENCE**

### **1.2 ISSUES OF RECRUITMENT AND TRAINING**

#### **1.2.1 Recruitment**

**1.2.1.1** Recruitment was done centrally during the mandate period. In the colonial era, when this began, there was a consistent policy of informing communities of opportunities for recruitment of other ranks into the Armed Forces. However, over time, this policy was not always adhered to, with the result that only persons connected with military personnel heard of such opportunities. This in turn bred nepotism in recruitment as the phenomenon of “barracks boy” developed. The central recruitment at one location also presented difficulties for persons who either could not receive the information on the recruitment by reason of geographical disadvantage, or make the journey by reason of poverty. These developments created ethnic imbalance as some groups were over-represented and others under-represented. This distortion in the ethnic make-up of the lower ranks of the Armed Forces presented challenges of national inclusion and national stability.

**1.2.1.2** The selection of candidates for commissioning into the Officer Corps was also governed by regulations inherited from the British Army. Candidates were obtained by visits to secondary schools by commissioned officers, and putting out advertisements in the press. The process involved the writing of entry examinations, after which successful candidates were vetted and then made to face a selection board, for further assessment for officer-quality. Successful candidates then had to go through Medical Examinations, before proceeding to training.

**1.2.1.3** These rigorous steps involved in recruitment to ensure quality material for officer training, were not adhered to during some periods of the mandate period. Persons who ought not to have been considered because of their well-known character in their communities and previous educational institutions still got cleared to proceed to the next stage of the process. There were complaints that selection boards were not always fair, with the result that many people felt disadvantaged by reason of their ethnic or other backgrounds. This also meant that those who were well-connected, managed to overcome institutional hurdles.

**1.2.1.4** A parallel system of accepting unofficial recommendations, developed with the “Africanisation” policy of the First Republic. Having originated for improper reasons, the system became open to cronyism, nepotism, etc with the resultant

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degeneration in standards and morale of the officer-corps, and distortion of loyalties within the junior ranks.

**1.2.1.5** Governments seemed to have left matters pertaining to recruitment policies in the hands of the professionals within the services, as there was no conscious national policy to develop a national Armed Forces based on inclusiveness.

**1.2.2 Training**

**1.2.2.1** During training, there was emphasis on normal military training, but nothing on political education, civic education, nor any exposure to International Conventions such as the Geneva Convention, and other United Nations Conventions on Humanitarian Law as well as the Law of War in general. The result of this lop-sided training was that soldiers did not have sufficient exposure to the kind of education that made them conscious of the human rights issues involved in their work.

**1.2.2.2** There appeared to be a culture of bullying and abuse of the vulnerable, in Military Training Institutions. This culture of abuse developed attitudes that were transferred to the civilian population when the military became involved in civil life as a result of the coups d' état that took place in the country. The abuses that were perpetrated all over the country and within the entire mandate period, were so similar in kind and from that the inference is irresistible that they must have been developed at a common location, such as in a training institution, and imparted to all who passed through that institution.

**1.2.2.3** During officer-training, character assessment was expected to continue so as to eliminate unsuitable persons from receiving a commission. However, this appears not to have been done on a consistent basis, leading to the commissioning of persons who had a low appreciation of what it took to be an officer in the GAF.

**1.3. ISSUES OF DISCIPLINE AND SERVICE CONDITIONS****1.3.1 Discipline**

**1.3.1.1** The back-bone of every Army is discipline. Therefore the Ghana Armed Forces was established with a well-defined body of rules to govern the conduct of its personnel. In order to maintain a high standard of discipline in time of war and peace, it was given a structure as well as procedures for handling disciplinary cases. It also developed a well-defined system of grievance procedures. The provisions were expected to bind all officers and other ranks, as well as civilian personnel. Appropriate punishments that could be imposed by the disciplinary board, were laid out in the regulations. The regulations were also clear on who was the appropriate disciplinary authority.

**1.3.1.2** Military take-overs of political power, being in themselves, acts contrary to service discipline, created an atmosphere of lack of respect for service rules and regulations. The involvement of military personnel in civilian administration during periods of military rule, affected morale and bred indiscipline within the ranks. The collapse of the Command Structure in 1979, and its spill-over effect in 1981, also had

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import for the integrity of the institution. Even recruitment procedures were overlooked, with severe consequences for the maintenance of discipline.

**1.3.1.3** Good Officer-man relationship can also be cited as a factor in maintaining discipline. The lack of respect for subordinates as human beings, rather than just fighting machines, became evident at particular points in time when the Officer-Corps was engaged in politics outside the barracks, and undermined the *esprit de corps* within GAF.

**1.3.2 Promotions**

**1.3.2.1** The Armed Forces Regulations made pursuant to the Armed Forces Act, 1962 (Act 105) as amended, laid out elaborate procedures to be followed in the promotion of officers and Other Ranks of each arm of the Armed Forces. However, with Africanisation policy and the advent of coups d'état, the undue acceleration in promotion for some officers and coup plotters created an ambition in young officers for rapid promotions.<sup>5</sup> This in turn bred some of the coup plots that took place during the mandate period.

**1.3.3 Discharge And Release**

**1.3.3.1** The regulations also spelt out the rules governing discharges and releases from the Armed Forces. However, in some instances, these procedures were not followed.

**1.3.4 Death And Injury In The Course Of Duty**

**1.3.4.1** The GAF have adequate provisions for death and injury that occurred on duty. However, the amounts payable have not been revalued for a long time thereby causing the sums payable to seem absurd. In addition, certain persons who were killed fighting to defend the Constitution were not treated as “loyal troops” deserving of the benefits, and these produced some of the complaints received by the Commission.

**1.3.5 Resettlement And Rehabilitation**

**1.3.5.1** The nature of service in the Armed Forces requires strong and agile young people to fill the ranks. Consequently, the institution has to shed its personnel when they are no more able to fulfil the rigorous demands of life within the service. Infantry battalions constitute the major part of Ghana Armed Forces and embody the largest number of servicemen and women whose skills are mostly associated with weapons. The discharged or released personnel, therefore, tend to be in the prime of life and are consequently not marketable in civilian life. Such personnel have had to find jobs as security men, with the attendant loss in prestige and self-esteem. They have not been able to maintain their standard of living and have rapidly degenerated,

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<sup>5</sup> Simon Baynham, *The Military and Politics in Nkrumah's Ghana* Westview Press, Boulder & London, 1988, pp 245-247.



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sometimes lapsing into alcoholism. These persons have also been available for hiring as land-guards and have been active in the ethnic conflicts that have erupted in some parts of the country.

**1.3.5.2** This situation poses a serious risk to the nation as reintegration becomes a problem for these servicemen and women. It thus becomes imperative that they be provided with skills, through resettlement programmes to make them employable in civilian life, following their release from active service.

## **1.4.0 GHANA POLICE SERVICE**

### **1.4.1 Brief History**

**1.4.1.1** The Police Service of the Gold Coast was born in 1831 when Captain George MacLean, Governor of the Gold Coast, formed a body of 129 men to patrol the trade routes that linked Ashanti and the coastal states and also to protect the colonial merchants and officials in and around Castle.

**1.4.1.2** In 1871, a training programme which was combat-oriented and based mainly on the use of firearms, conventional warfare and unarmed combat, was developed in response to the nature of their responsibilities on the trade-routes.

**1.4.1.3** The police became a part of the colonial machinery used to suppress civil disorder, often resorting to the use of brute force. This earned them the local name “*buga-buga*” (literally, “beat, beat” in Hausa) and therefore they were never looked upon by the public as peace officers trained to protect them.

**1.4.1.4** In 1873 an Ordinance<sup>6</sup> was passed to formalise the operations of the force and to provide for “better” discipline and regulation of the police.

**1.4.1.5** It is worthy of mention that the Commissioned Officers of the Police Force then were British, and the junior ranks were indigenes of the Gold Coast and other colonies in West Africa. The majority of the junior ranks were recruited from various parts of the Northern Territories, and from Northern Nigeria.

**1.4.1.6** One of the most significant events involving the colonial Police was the confrontation with the demobilised servicemen. on 28<sup>th</sup> February 1948. Three ex-servicemen were shot and killed when the police under the command of Superintendent Imray opened fire on a peaceful march of ex-servicemen to present their petition to the Governor at the Christianborg Crossroads. In the aftermath of the shooting, the Gold Coast witnessed a spate of riots.

**1.4.1.7** As the force grew and expanded, new units were formed. These included the Railways Unit, the Marine Police and the Criminal Investigation Department. In 1949 the Wireless Division was established due to the increasingly sensitive nature of materials being transmitted through the Post and Telecommunication (P & T) system

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<sup>6</sup> Police Force Ordinance, 1873.

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especially after the 1948 disturbances. In 1952, a specialised squad of twelve policewomen was formed to deal with cases of juvenile delinquency and offences committed by women.

A new unit known as the Police Reserve Unit was formed after the 1948 disturbances.

**1.4.1.8** In 1951, a Colonel A E Young of the British Police was commissioned by the Colonial Administration to research into the Police Force and make recommendations for reorganising the Force and preparing it for Independence. His recommendations were duly submitted, but never fully implemented.

**1.4.1.9** In direct response to subversion elements that posed a threat to the stability of the nation, another specialised unit, the Armoured Car Squadron (ACS) was formed in 1959 and equipped with Ferret Armoured Scout cars.

**1.4.1.10** In 1959, the Police College was established to train Officer Cadets locally; hitherto officers were trained in the United Kingdom. The Prime Minister addressed the first graduation Parade on 4<sup>th</sup> September, 1959. At that ceremony, he charged them to give a new face to the Police Force thus:

There are colonial police forces which exist to enforce authority of a foreign power on a colonial people. In such forces this will be demonstrated by the fact that the Police will be peremptory and even brutal in their dealings with the inhabitants of the colony while they will be ingratiating and subservient to those in authority. In a free and independent country, the conduct of the Police must be the exact reverse of this. They must demonstrate to the people at large that the country is free and independent by behaving towards the ordinary man in the street with exactly the same politeness as they would behave towards those in superior positions.<sup>7</sup>

The first Ghanaian head of the Police Service, (then known as Commissioner of Police) was Erasmus RT Madjitey.

**1.4.1.11** In 1965, the Police Service Act, 1965, (Act 284) was passed to regulate the institution. The Service Act was re-enacted as the Police Service Act, 1970 (Act 350). The statutory functions of the Police Service under the Police Service Act, 1970 (Act 350), are as follows:

1. prevention and detection of crime;
2. maintenance of law and order;
3. apprehension and prosecution of offenders;
4. protection life and property; and
5. enforcement of all laws and regulations with which it is directly charged.

It is against the backdrop of the performance of these statutory functions, that various of human rights violations and abuses were committed by or against police personnel.

<sup>7</sup> Kwame Nkrumah, *I SPEAK OF FREEDOM* Panaf Books Ltd., London, 1971, p 181.

**VOLUME 4 CHAPTER 1****STRUCTURE, TRAINING, PROMOTION AND DISCHARGE****1.4.2 Structure**

**1.4.2.1** The structure of the service as spelt out in Act 350 is in the form of a pyramid with the Inspector-General of Police (IGP) at the top at the headquarters. At the base is the police post. The service is organised on a national basis with a unified command under the IGP who is responsible for the day-to-day supervision over the operations and administration of the Police Service, subject to the control of the Police Council.

**1.4.2.2** The Police Service (Amendment) Regulations, 1974 (LI 880) provides for the posts and ranks in the service. They are divided into two main parts: the Superior Officers and the Subordinate Police Officers. The ranks from Assistant Superintendent to the Inspector-General of Police constitute the Superior Officers, while the ranks from Police Recruit to Chief Inspector constitute the subordinate ranks.

**1.4.2.3** Structurally, the Police Service is also divided into:

- Uniform Branch
- Criminal Investigations Department (CID)

**1.4.2.4** The CID is responsible for the conduct of all criminal investigations and the institution of criminal proceedings throughout the country.

**1.4.3 Recruitment**

**1.4.3.1** A person was eligible to be recruited into the service, during the mandate period, if he or she was between 18 years and 25 years of age and not less than 5 feet 8 inches, and not less than 5 feet 4 inches in height for males and females respectively. The minimum academic qualification for the General Police was Middle School Leaving Certificate in the 1960s, and later raised to a minimum of five passes in the GCE 'O' Level Examination. There was also an Escort Class, made up largely of illiterate ex-servicemen.

**1.4.3.2** The recruits are expected to be honest, and free of any criminal conviction. Although there was nominal vetting of the candidates at the recruitment stage, this was inadequate given the level of integrity required in the performance of the statutory functions of the police. Positive vetting is now employed to secure better information on the candidates.

**1.4.3.3** Recruitment used to be carried out in Accra and Kumasi only, but this has now been extended to all regional capitals in Ghana.

**1.4.4 Training**

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**1.4.4.1** As earlier stated, prior to 1959, superior police officers were trained in the United Kingdom, but subordinate police officers were locally-trained. Subsequently, the Ghanaian officers who took over from the British officers, did little to review and update the structure of the training schools and programmes left by the British. They made no conscious effort to implement the recommendations of Col Young, nor did they fashion out any programme to suit the tenets of policing in a democracy. Consequently, the training content did not take into account the culture of the newly-independent Ghana. Indeed, the Police Standing Orders were developed during the colonial administration and the last known edition,(ie the 5<sup>th</sup> edition) was published in 1979.

**1.4.4.2** The National Police Academy and Training Schools (NAPATS) have served as the main training institution for policemen in Ghana. The other institution is the Police College where officer-cadets are trained to be commissioned officers. Entry into the college is through competitive examinations involving chief Inspectors and Inspectors who have spent a minimum of four years in the inspectorate position. There are no facilities for local training into senior Command and Staff positions within the Police Service, and although some officers are trained at the GAFSC, this presents difficulties for institutional identity and a confusion of purpose and function.

**1.4.4.3** The basic police recruit training curriculum, rules and regulations and procedures inherited from the British remained without any significant change in form or content when Ghanaian officers took over. There were few changes in the curriculum without any emphasis on human rights training. Police officers are first and foremost citizens who must equally enjoy rights/freedoms such as human dignity, freedom of speech, right to life, non-discrimination, etc with other citizens. But the training and orientation of police officers have not seriously taken into account the rights/freedoms of individual officers. At the training schools, male recruits have their heads shaven completely and wear dresses that expose them to environmental hazards. They are trained to obey instructions from their seniors even though the oath of office taken by the recruit on enlistment binds him or her to faithfully obey lawful commands only. Classrooms, hostels and barracks were constructed in such manner that there is little room for enough space and ventilation. These places are always crammed, especially the hostels, to such an extent that some recruits sleep outside during the night to enjoy fresh air. Under these circumstances, recruits were exposed to health hazards like malaria and other diseases.

**1.4.4.4** The dehumanising conditions under which recruits are trained, with little regard for their rights/liberties often ended in developing in them a mindset which is anti-human rights. Thus, as they enter the field as fresh constables with enormous police powers and authority, they have little regard for citizen's rights and liberties. Bullying in training institutions that nurtures a culture of intimidation, unconsciously inculcates in recruits a culture of abuse of power that is carried along after graduation into active service.

**1.4.4.5** The infrastructure including accommodation, facilities and general conditions at training schools, which were developed in the 1930s, have deteriorated considerably, and have not seen significant improvement.

**VOLUME 4 CHAPTER 1****CONDITIONS OF SERVICE****1.4.5 Promotions**

**1.4.5.1** LI 880 of 1974, provided in regulation 7 for a Police Appointments and Promotions Advisory Board consisting of the Inspector-General, as the chairman, two commissioners of Police, three deputy commissioners of Police and one assistant commissioner. The Board has the function of advising on appointments and promotions of police officers from the ranks above police recruits up to and including the rank of assistant commissioner. The inclusion of the IGP on the Advisory Board creates a problem of over-concentration of power in one person's hands, as well as the incongruity of the IGP giving advice to himself on matters of promotion of junior ranks. The problem of the ninety Constables who were dismissed in 1987 for their refusal to write newly-re-instituted promotion examinations, may have been caused by difficulties inherent in the system of administering promotions within the service.

**1.4.5.2** There are three main methods of promotion in the service namely: promotion by examination, promotion by seniority and special administrative promotion. Promotion under Act 350 shall be made according to merit and merit under the law is defined as "the quality of deserving praise, reward, etc." To qualify for promotion in respect of the first two methods, the candidate must be recommended by his region/ unit commander based upon proven integrity and good conduct, efficiency and hard work, and satisfying the required number of years in the present rank. In the case of the special administrative promotion, the candidates must be honest, loyal, skilful and efficient above average. They must also possess remarkable investigative and detective ability. Specific requirements are also given under the law for promotion into the various ranks. These rules were not always followed, with some consequences for depression of morale.

**1.4.6 Discharge**

**1.4.6.1** A member of the police service is required to leave the service upon the attainment of the compulsory retiring age where the person holds a pensionable post. A person who is also in the Service on a limited engagement can also leave on the expiry of the period specified. However, contrary to these regulations, some police personnel were forcibly retired by the government, in complete disregard of the service regulations and without just cause. Such forcible retirements by the political authority undermined the ability of the police to be fair and impartial in the discharge of their official functions.

**1.4.6.2** A person can also leave the service when he or she is transferred to serve in another public institution with his or her consent. Another instance of a discharge from the service is when one's post is abolished.

**1.4.7 Death And Injury In The Course Of Duty**

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**1.4.7.1** Police personnel are covered by the provisions of the Workmen's Compensation Law, 1987 (PNDC L 187). However, it would appear that the nature of police duties and policing have changed since the service was established. Police Service now supply guns instead of mere batons, as crime-trends have undergone dramatic change on account of the proliferation of small arms. The service now owns armoured vehicles as well as other equipment that used to be the preserve of the Armed Forces, and also participates in international peace-keeping duties. These changes in operational trends have increased the risk of injury and death to personnel in the course of duty. Consequently, policies designed to ensure maximum commitment on the job should be aligned with those of the Armed Forces. The benefits to police personnel under the Workmen's Compensation Law must be reviewed to ensure that they reflect these changed trends in policing.

**1.5 THE SPECIAL BRANCH AND THE RESERVE UNIT**

**1.5.1** The events of February, 1948, brought two issues to the fore: the lack of an effective intelligence system which could have anticipated the events, and the lack of a good rapid reaction capability in the Police Force. These institutional shortcomings, resulted in the taking of remedial action by the formation of two units: the Special Branch and the Reserve Unit.

**1.5.2** The Special Branch was formed with the primary purpose of intelligence gathering and to effectively counter any moves to destabilise the colonial administration. The Reserve Unit was used to quell street protests and other demonstrations. However, in the early years of post-Independence Ghana, the Special Branch became a tool for fishing out persons who were perceived to be threats to the personal security of President Nkrumah. The Special Branch, together with the Presidential Detail Department (PDD) and the President's Own Guard Regiment (POGR), became the agencies responsible for the protection of the President.

**1.5.3** The Special Branch existed as a part of the Police Service although it had quite a number of civilian employees. During the era of the Provisional National Defence Council (PNDC) it was re-named the Bureau of National Investigations (BNI).

**1.5.4** Though initially set up to gather intelligence, the functions and roles of the Special Branch/BNI have been determined along the way by the various regimes, and they have used them for various security functions.

**1.6 THE PRISONS SERVICE****1.6.1 Brief History**

**1.6.1.1** The Prisons System started in about 1822 under Governor George Maclean. After the formation of the Gold Coast Constabulary in 1874, the need for a formalised system of prisons was felt and therefore it was carved out of the Gold

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Coast Constabulary as a separate department, though still attached to the police. The main infrastructure for incarceration were the forts and castles. As the prisons expanded the department was separated from the police in 1920. Later after Independence, the Ghana Prisons Department was renamed Ghana Prisons Service<sup>8</sup> and handed over to its first Ghanaian head (then known as Director), CB Moses.

**1.6.1.2** As a result of the history of political detentions, the service has acquired an unsavoury image and reputation in matters of human rights.<sup>9</sup>

**1.6.1.3** The Prisons Service Decree, 1972 (NRCD 46) states the functions and duties of the service to include the following:

1. (1) It shall be the duty of the Prisons Service to ensure the safe custody and welfare of prisoners and whenever practicable to undertake the reformation and rehabilitation of prisoners. (2) Every prison officer shall perform such functions as are by law conferred upon a prison officer and shall obey all lawful orders and directions in respect of the execution of his office which he may receive from his superiors in the Prisons Service.
2. In performance of its duty the prisons Service shall ensure that-
  - (a) no person shall be subjected to-
    - (i) torture or inhuman or degrading punishment; or
    - (ii) any other condition that detracts or is likely to detract from his dignity and worth as a human being;
  - (b) a person who has not been convicted of a criminal offence if kept or confined in a prison, shall not be treated as a convicted person, and shall be kept away from convicted persons.<sup>10</sup>

**1.6.1.4** The disciplinary procedures provided for under NRCD 46 and the Standing Orders of the Service, provided rules that governed the conduct of prison officers. These stipulated various prohibited acts which would impugn the image of the service, lead to the neglect of the officer's duties, or which would infringe the basic rights of prisoners.

**1.6.1.5** These statutory regulations in respect of the performance of the duties were consistently and persistently violated, particularly, in respect of political detainees throughout the mandate period.

## **STRUCTURE, TRAINING, PROMOTION AND DISCHARGE**

### **1.6.2. Structure**

**1.6.2.1** At its birth, the personnel of the Prisons Department was made up officers who were British, and subordinate ranks who were indigenes and mostly illiterates, or

<sup>8</sup> Prisons Service Act, 1963 (Act 221).

<sup>9</sup> See Report of the Commission Appointed To Enquire Into The Conditions Prevailing In The Ghana Prisons Services by the NLC; and accounts of other political detainees within the mandate period.

<sup>10</sup> Sections 1 and 2, NRCD 46.

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at best holders of Middle School Leaving Certificate (MSLC). They were known as “Warders” or “Gaolers”

**1.6.2.2** With the enactment of the NRCD 46, a well-defined structure was prescribed. The service was made up of the Director of Prisons, two or more Deputy Directors of Prisons and Prison Officers holding posts or ranks created under the Decree. The director was the Head of the Prisons and he could delegate his responsibilities to any other members of the service, as he deemed fit.

**1.6.2.3** During the 1980s the Directors of Prisons were drawn from the military, rather than using persons who had been trained as prison officers. This affected morale as it reinforced notions of institutional inferiority and impeded career progression within the Prisons Service. In addition, the Military Officers, coming from a tradition with different perspectives on human rights, could not be expected to appreciate the difference between an ordinary prisoner and a prisoner-of-war and their concomitant rights.

**1.6.3 Recruitment**

**1.6.3.1** The recruitment age for new ranks is between 18 years and 35 years and the candidates must possess a minimum qualification of four passes at the General Certificate of Education, Ordinary Level (GCE ‘O’ Level) or in Senior Secondary Certificate of Examination (SSCE). The subjects passed must include English Language for General Duty officers. For tradesmen, a MSLC or Basic Education Certificate Examination (BECE) and National Vocational Training Institute (NVTI) 1 and 2 qualifications are required.

**1.6.3.2** A person who wishes to be appointed to the prisons service has to submit a formal application to the director, attend a recruitment selection interview, and be vetted. The vetting includes the checking of previous criminal record and for this purpose, finger prints are taken and verified by the Criminal Investigations Department of the Police Service.

**1.6.3.3** Candidates for appointment into the senior ranks are obtained by advertisement in the press. Applicants are then subjected to the same checks on health, character and previous criminal record.

**1.6.3.4** It would appear that, as in all the Security Services, the same ills of nepotism and cronyism have influenced recruitment, particularly in the lower ranks. This has had implications for discipline in the Service.

**1.6.4 Training**

**1.6.4.1** The training of Prison Officers seems to emphasise secure custody of prisoners, to the neglect of appropriate mechanisms for reform and rehabilitation. In view of changed penal philosophies in modern times, the institutional philosophy of the Prisons Service must be reviewed.



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**1.6.4.2** Modern prison officers need exposure to professional counselling so that they can have a positive influence on their charges as they are in daily contact with them. Consequently, the counselling component of the training should be seen as an integral part of the basic skills of the prison officers.

**1.6.4.3** There are no facilities for training officers for the senior ranks. Therefore the same facilities are used for both Superior Officers and subordinate officers. On occasion, arrangements are made to train superior officers at the MATS. This training has serious implications for the person's appreciation of the institutional identity of the service, and the relevant human rights perspectives.

**1.6.4.4** There is no evidence of a sustained policy on in-service Human Resource Development, given the calibre of personnel available for recruitment. Continuing Education has not been a feature of the service both on account of its history and the state of its facilities.

**1.6.5 Promotions**

**1.6.5.1** Promotions in the service depend on good conduct and efficiency and in this regard, one's experience based on the length of service is a contributory factor. Long service alone is not the only determining factor for promotion. Promotion of an officer is also due to his strict and careful attention to duty. A member of the service cannot be promoted on his own application.

**1.6.6 Discharge**

**1.6.6.1** Upon the attainment of the compulsory retiring age, a member of the service on a pensionable engagement is required to retire. A person is however free to resign from the service at any time. Retirement on health grounds is to be recommended by a medical officer.

**1.6.6.2** Upon retirement or resignation an officer may be issued with a certificate of service, provided that he has done not less than two years in the service.

**1.6.7 Death And Injury in the Course of Duty**

**1.6.7.1** Personnel of the Prisons Service are covered by the provisions of the Workmen's Compensation Law, 1987 (PNDC L 187). However, it would appear that in line with the changing nature of crime and criminals in Ghana, the performance of duties in prisons now entails more risk than used to be the case. The killing of a prison officer and injuring of another on duty at Nsawam Medium Security Prisons on 19<sup>th</sup> June, 1983, as well as the riot in the same prison in January, 1991, would seem to suggest that the nature of the duties has undergone some change. Although these particular events may have been attributable to the presence of a large number of ex-soldiers then in political detention, it is still true that the proliferation of small arms and the increase in armed robbery, and consequently armed robbery remandees and convicts, have implications for the safety of personnel. The benefits payable to

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prison officers under the Workmen's Compensation Law must be reviewed to ensure that they reflect these changed trends in the criminal population.

**1.7 THE BORDER GUARDS SERVICE<sup>11</sup>****1.7.1. Brief History**

**1.7.1.1** It originated as the Preventive Service of the Customs and Excise Department in about 1949. The Preventive Service was disbanded in 1962 and its functions were transferred to the Police Administration because of institutional corruption. In 1964, it was detached from the Police Force, and placed under the direct control of the President as Department V of the National Security apparatus. One of the primary functions of the new Service was to maintain border security as well as facilitate the movement and operations of "freedom fighters".<sup>12</sup> After the 1966 coup, the NLC disbanded Department V and merged with the Police Force.

**1.7.1.2** After the 1972 coup d'état, the Border Guards Service was established as the Fourth Service of the Ghana Armed Forces and Col. John A Kabore was appointed its first Commander. It was formed by personnel from the Police Service and Ghana Army. This Service was disbanded in 1984, on account of institutional problems, and its functions transferred to the newly re-organised Customs Excise and Preventive Service (CEPS).

**1.7.1.3** When the Border Guards Service was established, its main functions were: to control and protect the borders of Ghana by checking smuggling; the suppression of currency trafficking; and the checking and arresting of undesirable persons trying to enter or leave the country.

**1.7.2 PROBLEMS OF THE SERVICE**

**1.7.2.1** The Border Guards (BGs) were not provided with adequate accommodation and they and their families lived under most unsuitable conditions in the border towns and villages.

**1.7.2.2** There were no employment opportunities at the border areas for the spouses and other relations of BGs, thus leaving them no option than joining in trade activities that involved seeking supplies from smugglers. Some BGs and their relations engaged in smuggling themselves, because in the period of 1978-84, there was a scarcity of essential goods, and consequently a thriving market for goods from the neighbouring countries developed. The state of the national economy and the hardships under which they lived and worked, compromised the ability of the BGs to check smuggling and currency trafficking and put them under constant suspicion of collusion with smugglers and even "dissidents". These problems thus opened them up to corruption

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<sup>11</sup> See, Aboagye, supra, pp.221-223.

<sup>12</sup> Ibid., p 222.

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and therefore made them a target of any official clamp-down on illegal activities at the borders.

**1.7.2.3** The BGs, in the execution of their duties, used brutal methods against persons they suspected to be smugglers, even when the goods they were carrying were in such quantities as to be only for personal use. On occasion, they even confiscated goods that were covered by proper documentation, causing a lot of pain and hardship to families who depended upon the cross-border trade for their livelihood.

**1.8. PRESIDENTIAL DETAIL DEPARTMENT (PDD)**

**1.8.1** The Presidential Detail Department (PDD) was formed by President Kwame Nkrumah to provide security for his own person, as well as the security of his household.

**1.8.2** Initially, the PDD had two main components namely: bodyguards' section and counter-intelligence section. These bodyguards were largely made up of hand-picked personnel, mostly from the President's own ethnic group, Nzima, recruited mainly by the Head of the Unit, Ambrose Yankey, (Snr). This fact was to have serious consequences for the people of the area after his overthrow since many were killed or detained and then banned from holding public offices for ten years.

**1.8.3** The bodyguards were given basic military training, physical fitness and hand-to-hand combat by mostly foreign specialists. They were comfortably housed; some within the premises of the Flagstaff House, the majority in residential flats directly opposite the Flagstaff House, and others in Kanda Estates in Accra, for easy mobilisation in times of crisis. These personal bodyguards of Kwame Nkrumah accompanied him on trips, mingled with crowds and frisked suspicious-looking individuals for weapons.

**1.8.4** The counter-intelligence sub-unit consisted of Soviet-trained men whose responsibility was to check on the loyalty of all PDD members and to prevent the organisation from being penetrated by elements that were hostile to President Nkrumah.

**1.8.5** Members of the PDD were also responsible for spying and reporting on the citizenry, and this resulted in many detentions:-

**1.8.6** The PDD was totally loyal and answerable only to the President. They were also very well remunerated and enjoyed numerous privileges that the regular Army did not have. This development was to sow the seeds of hatred and resentment in the regular Army against the PDD.

**1.9 THE PRESIDENT'S OWN GUARD REGIMENT (POGR)**

**1.9.1** In 1960, President Nkrumah caused the formation of a Guard Company made up of troops soldiers who had become unfit for operational duty. This was to be a ceremonial guard, performing guard duties at the Flagstaff House, and for visiting

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dignitaries. Three months after its formation, the Guard Company, as it was known, was re-named the Presidential Guard Regiment, and trained by foreign military experts. It was under the command of Lt Col David Gbon Zanlerigu.

**1.9.2** Following the attempts on his life, President Nkrumah became convinced that he needed an even more powerful alternative security force. He therefore ordered the expansion, reinforcement and redesignation of the Presidential Guard Regiment as the President's Own Guard Regiment (POGR). Thus in 1963, the POGR came under the PDD. In 1965, the Regiment was officially severed from Command of the regular Armed Forces, thus making it a private army of the President. Lt Col Zanlerigu remained in command of the POGR. By 1966, the POGR could boast of 50 officers and 1,150 men, constituting two battalions. There were reports of further expansion of the POGR to between three and five battalions.

**1.9.3** Consequently, the command structure and established norms of hierarchy of the regular Armed Forces were distorted. Lt Col Zanlerigu took orders directly from the Commander-in-Chief, President Nkrumah, and not from the Chief of Defence Staff (CDS).

**1.9.4** The POGR was better equipped, better trained, better clothed and remunerated and consequently more motivated than the regular Armed Forces.<sup>13</sup> This caused a lot of disaffection and deep hatred among the regular forces for the POGR. The fury and violence which was unleashed by the regular Army on the PDD, including the POGR, bore testimony to the resentment caused by years of neglect, deprivation and humiliation. The unit was re-integrated into the Army soon after the coup.

**1.9.5** With such a force at his disposal, and the help of the traditional security institutions in some cases, Nkrumah was able to suppress his political opponents, and any person whom he perceived to be a threat. Even members of his own government and the party, who were perceived to be opposing him became victims of torture and abuse at the hands of his security network.

**1.9.6** It is worth mentioning that the Security Services found their traditional role being usurped by the creation of these other security institutions. Consequently, officers and men of the traditional security services became peeved and dissatisfied hence, putting the security of the State at further risk. With suspicion, bitterness, rancour, the general economic decline and the dictatorial and authoritarian rule of the CPP Government, it came as little surprise when the first coup d'état was staged by the joint action of the Military and the Police on 24<sup>th</sup> February, 1966.

## **THE INVOLVEMENT OF THE SECURITY SERVICES IN POLITICS**

### **1.10 Consequential Issues for all Security**

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<sup>13</sup> A A Afrifa (Col) *The Ghana Coup 24<sup>th</sup> February 1966* FRANK CASS Co Ltd, London, 1966, p.100.

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**1.10.1** The Security Services perverted their primary roles and functions as set down in the 1960, 1969 and 1979 Republican Constitution as well as their governing Rules and Regulations, by becoming involved in the politics of this country. This involvement contravened the code of ethics and the very essence of the institutions, and has had the result of disorganising the structures and culture of these services, as well as undermining their image and functioning capabilities. In addition to these problems, the exercise of unbridled power enabled them to exploit the citizenry and to perpetrate acts that constituted gross human rights violations and abuses against the populace in general, and even against some of their own service personnel in particular in pursuance of their personal ambitions and political goals.

**1.10.2** The governing councils of the institutions are made up of such officials as to make them a part of the government. The number of political office-holders represented on those councils ensured that whenever there was a disruption in governance, the councils ceased to exist and the institutions suffered from the discontinuation of leadership.

**1.10.3** The practice of dismissing Heads of Security Services upon assumption of power also militated against the interests of the institutions. With the exception of JWK Harlley who was an active participant in the plot to overthrow the First Republic, Raphael Kugblenu stands as the only IGP who survived an abrupt change of government and remained in office. The fact that every administration appointed its own IGP, undermined the capacity of IGPs to withstand political interference in the administration of the service as they were beholden to the government.

**1.10.4** There is abundant evidence to show that the forcible and unauthorised interruptions by the security services in government have adversely affected the development of the nation. Citizens were traumatised by the total disregard for their human rights when they were brutalised by members of the security services. By the end of the rule of the military governments, they stood accused of perpetrating the same kinds of malfeasance in governance, as the governments they had overthrown.

**1.10.5 THE GHANA ARMED FORCES (GAF)**

**1.10.5.1** The GAF, in association with the police, staged their first direct appearance on the political scene, by removing the elected civilian government on 24<sup>th</sup> February, 1966. There have been four other successful interruptions in the nation's history and these have been discussed in greater detail later in this report. Some of these incursions into politics by the Security Services, under the cloak of liberating the country from bad and corrupt governments, have stemmed from personal desires, other than the noble declarations by them at the time of seizure of power. The breakdown of Command and Discipline in the Services, occasioned by structural weaknesses in the services themselves and the involvement of military personnel in "civilian" affairs, enhanced the opportunities for adventurers.

**1.10.5.2** The inability of the top brass of the GAF to act decisively on intelligence received from appropriate quarters, especially concerning the events of 31<sup>st</sup>

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December, 1981, is ample testimony of the contribution of poor leadership, indecisive command and professional incompetence, in undermining constitutional governments.

**1.10.5.3** Whenever the adventurers struck the first blow, they were aided by commanders who showed disloyalty, indecision, incompetence, cowardice and compromise on those occasions.

**1.10.5.4** The impact of the take-over on the institutional integrity of the GAF itself has been even more traumatic. As some military personnel were catapulted into positions of authority over the heads of their superiors in the institution, the Command Structure broke down. This contributed to undermine institutional integrity as the disciplinary ethics of the service were shattered. For example, in the wake of the 4<sup>th</sup> June mutiny, Senior Officers in Command positions were replaced with Junior officers, who lacked experience and command-expertise. In addition, Junior officers and other Ranks were placed in adjudicating positions, and in this capacity, presided over trials of their superior officers for supposed infractions of military and civilian rules. In other cases, though senior officers remained in Command, they were under the dictatorship of the other ranks, who threatened them with physical harm should their performance fall short of their demands. These developments were certainly contrary to Military Ethics and Discipline.

**1.10.5.5** Military governments have also used the security institutions to further their various notions of what constitutes “state security.” These Governments politicised recruitment, career-development, promotions and retirements, of personnel in GAF.

**1.10.5.6 Ethnocentrism And Nepotism In GAF**

**1.10.5.6.1** The policies of Military Governments also heightened issues of ethnocentrism in the GAF. For instance, morale and discipline in the Armed Forces was seriously affected by the arousal of inter-ethnic sensitivities when after the 1966 coup, several young men were conveyed by truckloads from a particular region, to the Armed Forces Recruit Training Centre in Kumasi and enlisted *en masse*.<sup>14</sup> This was contrary to the laid down rules, regulations and procedures covering recruitments. Furthermore, this special intake of recruits was given only four (4) weeks of training instead of the mandatory twenty-six (26) weeks of training. Between 1982-84, following some coup attempts led by persons from Northern Ghana, soldiers from the North became the targets of harassment and even detention, by reason of the feeling that on account of their origins, their loyalty to the PNDC Regime had become suspect.

**1.10.5.6.2** It is a fact that at some point in the history of the GAF, there was no regional balance within the institution. This has created some command and control problems as ethnic loyalties tended to interfere with work situations. Ethnocentrism has gained roots in the forces to the extent that at a point in time, one or two ethnic groups dominated the GAF, and this was unhealthy for the development of a sense of nationalism.

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<sup>14</sup> Memorandum to National Reconciliation Commission.

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**VOLUME 4** CHAPTER 1**1.10.5.6.3 “Adjutant Soldiers”**

Various units of the Army were given authority to recruit a few soldiers to make up numerical deficiency in the unit. The Unit Adjutant was in charge of this recruitment, hence the name Adjutant Soldiers. They were trained for only four weeks instead of twenty-six weeks, and were absorbed into the units. The recruits for this “Adjutant Soldiers” category turned out to be relatives and dependants of serving officers and men, and the nepotism in recruitment caused problems of discipline. Seniors within the unit could not control these new “well-connected” enlisted personnel.

**1.10.6 POLICE SERVICE**

**1.10.6.1** Policing and other law-enforcement activities in a democratic society are important functions. The executive branch of government has the police as its major instrument for law enforcement. However, the purposes for which the political authorities employ the police determine whether they perform their duties professionally in accordance with the law, or whether they become a weapon to protect personal and/or partisan political interests.

**1.10.6.2** The Police Service requires that each officer swear an oath of allegiance to the State, and to obey only lawful orders of the legally-constituted authority. The officer also swears to discharge the duties of his office according to law and this presupposes that the law and the State are supreme considerations in every Policeman’s action. This should have been sufficient safeguard against abuse of power and a check on excessive government/political interference. However, the history of the Police Service and evidence before the Commission bear ample testimony of the inability of the Police Service to maintain its institutional integrity.

**1.10.6.3** There have been instances where transfers, dismissals, interdictions and promotions have emanated from the seat of government without any explanation. This phenomenon has also encouraged subordinate police officers to invite direct intervention of the Head of State in matters pertaining to the service, thus undermining service discipline.

**1.11 PARTNERSHIP BETWEEN THE POLICE AND MILITARY**

**1.11.1** The Military and the Police by their professional ethics and statutory guidelines are not to engage in partisan politics. A look at their role and functions, which have been discussed earlier on, shows that partisan politics should have no place in the life of these two institutions. The Military and the Police have been partners on all the occasions when there has been an unconstitutional seizure of power. Sometimes the Police were more prominent in the planning stage than at others, but on all occasions they joined the fray on the side of the usurpers. Indeed, Police collaboration ensured the success of coups d’état by the arrests and detention of functionaries, as well as the subduing of possible civil disorder. These acts

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stabilised the new regime as the Police were on hand to offer Police Stations and their personnel.

**1.11.2** The clearest indicator of the partnership between the Police and the Military in the history of Ghana was the coup d'état of the 24<sup>th</sup> February, 1966. Both the Police and the Military had suffered neglect and humiliation at the hands of the Nkrumah Administration. Both institutions had experienced dismissals in their top brass, with Madjitey, the former Head of the Police, in detention under the PDA. The existence of the President's Own Guard Regiment (POGR) put both institutions at a disadvantage and impelled the Police chiefs to team up with the Armed Forces, to overthrow the regime.

**1.11.3** The team that hatched and executed the plan for the 24<sup>th</sup> February, 1966 coup comprised: John W K Harley, Commissioner of Police and Head of the Police Service, Anthony K. Deku, Commissioner of the Criminal Investigation Department, Col Emmanuel K. Kotoka, Commander 2 Brigade, Col Albert K Ocran, Commander 1 Brigade, Lt Col Alphonse Kattah, Lt Col David CK Amenu, Maj Victor C Coker-Appiah, Maj Lawrence Okai and Maj Akwasi A Afrifa, Capt Francis Kwashie.

**1.11.4** The operation planned by this combined team was code-named *Operation Cold Chop*. Prior to his visit to Hanoi, President Nkrumah had ordered that troops should be battle-ready to move to Southern Rhodesia (now Zimbabwe) to dislodge the racist white regime. Col Kotoka therefore took advantage of this order and moved troops from Kumasi unchallenged because he stated that they were on a training mission to the Accra Plains. Police reports indicating unusually large movement of troops towards Accra were not acted upon by Harley and Deku because they were themselves part of the plot.

**1.11.5** The operational headquarters of the coup was located at the Police Headquarters in Accra, and the resulting government, the National Liberation Council (NLC), was made up of Military and Police Officers.

**1.11.6** The collaboration between the Police and the Military was again in evidence when in the wake of the 1972 coup, the police ensured the arrest and detention of functionaries of the overthrown government and party.

The relationship was raised to the level of partnership again, during the Supreme Military Council (SMC II) when the IGP was made a Member of the Council.

**1.11.7** Evidence before the Commission indicates that the Limann Government's potential ability to mobilise resistance to the coup of 31<sup>st</sup> December, 1981, was thwarted by the failure of the IGP, Raphael Kugblenu, to make himself available at the critical time, to give command to the Police Armoured Vehicles then solely under his command, to respond to the emergency. The circumstances of his non-availability take on the colour of collaboration, when, contrary to the usual practice of Senior Commanders being relieved of their positions, he retained his post as the IGP when the coup succeeded and the PNDC came to power.



**VOLUME 4** CHAPTER 1**1.12 MILITARY-CIVILIAN RELATIONS**

**1.12.1** The somewhat hostile relationship between the Military and the civilian population during the mandate period was not always the case. There used to be respectful distance between the two segments of society until the involvement of the military in civilian political occupations put them in authority over civilians and gave rise to a hierarchical relationship. The hostility was engendered by the heavy-handed treatment they meted out to civilians when their assumed policing duties brought them into contact with the civilian population.

**1.12.2** It appeared that when people were enlisted into the Military, they tended to forget that they came from the civilian population, and would eventually return to that population. Consequently, they tended to acquire some airs and believed themselves entitled to bully civilians. The feeling that they had a right to bully was born of the culture of impunity that developed as a result of the intra-institutional solidarity of the military, and the political power that they acquired over the civilian population. Furthermore, the breakdown of Command and Control in the Armed Forces, compounded their sense of invincibility as superior officers were often helpless to check their subordinates. It was thus commonly believed by the civilian population that on account of institutional solidarity, superior officers to whom cases of misconduct were reported, ended up being part of the cover-up, by not doing enough about the complaints to give justice and redress. This has resulted in a deep suspicion of, and hostility towards, the military by civilians.

**1.12.3** The media and some social commentators by their actions and inactions sometimes encouraged would-be coup leaders to defy lawfully established governments. The media sometimes painted such gloomy pictures about the state of the economy and created the impression that nothing good could happen under a constitutional government, since such governments had to respect constitutional norms. These ideas prepared the ground in the public mind to receive military intervention, and the would-be coup-makers took advantage of the situation. The litany of complaints that coup-leaders usually recite to justify a coup, always came from complaints put out by the journalists.

**1.12.4** During civilian regimes, the relationship between the military and civilians was one of respectful distance. Civilians appreciated the role of soldiers in the provision of emergency services in times of disaster, and in the assistance given to the police in combating crime. However, this relationship changed whenever the military seized power, because they became overbearing and showed a lack of compassion to civilians in distress.

**1.12.5** Evidence before the Commission showed that during military regimes when essential commodities and utilities were in short supply, soldiers often harassed and killed civilians to gain access to those goods and services. They entered markets, and under the guise of enforcing price control, seized and sold goods at ridiculously low prices and kept the proceeds, ostensibly to pay into government chest. They seized money, vehicles and other properties from many civilians.

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**1.12.6** Some officers were no exception to the lack of knowledge in human rights. As a result, during military coups or “revolutions” civilians and to some extent soldiers and officers who were suspected to have committed crimes, were tortured, mishandled and beaten to the extent that some victims died, or became disabled for life. Under the PNDC regime, the spate of unlawful arrests, extortion, torture, brutality, swoops, arrests, round-ups of people, irresponsible use of firearms and deadly force and other strong-arm tactics used by the military, increased. These acts occurred, ostensibly, in “defence of the revolution”, and have culminated in the negative image the GAF has in the eyes of civilians.

**1.12.7.** The result of all these events, has been that civilians have been so traumatised by the military that they tremble at the thought of having to visit a military camp, or deal with a soldier in uniform. All these account for the level of animosity in military-civilian relations.

**1.13 POLICE – CIVILIAN RELATIONS**

**1.13.1** The history of the Police Service, shows that primarily, the Ghana Police Service was expected to be modelled on the British system, which encouraged, the principles of good policing, public co-operation and abhorred excessive use of physical force, and providing service in the interest of community welfare and existence. It is for this reason that the subordinate ranks were trained only in the use of truncheons, rifles and riot control equipment. Rifles were used mainly for special escorts, and for guarding sensitive installations, but even when on guard duty, the guard commander held the ammunition. Only the senior officers were trained in the use of side arms. In fact, Service Instruction No 97 spelt out in detail the circumstances under which a policeman could use firearms, as well as the procedure to be followed should such a situation arise.

**1.13.2** None of the civilian and military regimes during the mandate period, made any serious attempt to provide mechanisms that would enable the service to exercise its functions in the society efficiently and honestly, while respecting individual dignity, rights and liberties. The basic police recruit training curriculum, rules and regulations and procedures inherited from the British remained without any significant change in form or content, especially as regards human rights education.

**1.13.3** Despite the good model on which the service was based, it was originally not formed for the protection of citizens, but rather for the protection of the colonial administration and its economic and political interests. The heavy-handed reaction of the police to civil disorder, such as the 1948 riots, demonstrated the nature of the hostile relationship between the public and the police. Thus, rather than being trusted, the police was feared by the citizenry.

**1.13.4** Under the civilian and military regimes from 1957-1992, the mode of arrest and detention by the police was considered the most common form of abuse of civil liberties. Arrests and detentions were used as a technique of intimidation. The police was also accused of taking bribes and misusing their powers to suppress the civilian population.

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**1.13.5** The kinds of abuses, however, changed in nature during the Acheampong Regime, when the Police Service was turned into a “Force” once again, and provided with arms and ammunition, as well as armoured personnel carriers, for crowd control. The special rules about the use of firearms were not respected, with the result that the phrase “killed by a stray bullet” which hitherto was unknown, crept into police vocabulary.

**1.13.6** Under the PNDC Regime, the police, like the military were involved in unlawful arrests, extortion, torture, brutality, round-ups of people and irresponsible and unnecessary use of firearms. All these factors have culminated in the negative image the Police Service has in the eyes of the civilian population.

## **HUMAN RIGHTS VIOLATIONS AND ABUSES AND THE SECURITY SERVICES DURING THE VARIOUS REGIMES**

### **1.14                   6<sup>TH</sup> MARCH, 1957 – 23<sup>RD</sup> FEBRUARY, 1966:                                   CPP GOVERNMENT**

**1.14.1** A little over a year after Ghana attained Independence, the Prime Minister, Dr Nkrumah, introduced the Preventive Detention Bill in Parliament, and it was passed into law. The PDA gave power to the Prime Minister to detain anyone up to a period of five years, without trial. The Special Branch of Police Service was used to arrest and detain Dr Nkrumah’s political opponents, ostensibly, for security reasons. It was reported that the executive gave instructions to prison officers on the ill-treatment of specific detainees.

#### **1.14.2    The Preventive Detention Act (PDA)**

**1.14.2.1** The PDA became law in July, 1958, and in November, 1958, the government announced the detention of forty-three persons, all members of the opposition United Party (UP). Towards the end of the year, other high-profile persons, R R Amponsah, (UP) Member of Parliament for Sekyere West, M K Apaloo, Member of Parliament for Anlo South and Ex-Capt. Benjamin Awhaitey, a military officer, all of whom had been implicated in a conspiracy to subvert the government, were detained. From 1959, many more persons became victims of the PDA, including Dr Joseph Boakye Danquah and Obetsebi Lamptey (both of whom died in detention later).

**1.14.2.2** According to one of the officials of the security and intelligence services of the time:

during the emergency period much information was received by the police, but it was found out that undue delay would be caused if investigation into all that was completed before arrests were made, hence mass arrest and detention took place without detention orders

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being issued, and I believe, many of those taken in were forgotten by the police.<sup>15</sup>

Thus individual rights were sacrificed in the name of “state security.” The PDA not only caught opposition members in its snare, but also some members of the CPP Government. Prominent among whom was PKK Quaidoo, Member of Parliament for Aowin Amenfi.<sup>16</sup>

**1.14.2.3** The conduct of the officers and men of the Ghana Prisons Service was called into question in the circumstances surrounding the deaths of Dr Danquah and Obetsebi Lamptey. The Nsawam Prison where Dr Danquah was incarcerated gave the cause of his death as a heart attack. Dr. Danquah’s health had rather deteriorated rapidly during his detention. He was kept in a small cell in the condemned block (then known as the Special Block) – a place meant for prisoners on death row – contrary to the regulations of the Prison Service. On the orders of President Nkrumah, he was to be fed on gari, salt and water.<sup>17</sup> Dr. Danquah was in urgent need of medical attention and the Medical Officer had recommended that he should be moved to the Prison Hospital but he was kept in very deplorable conditions till he succumbed to death. When he protested on one occasion against his incarceration, he was cited for being rude to a prison officer and for that matter was chained as a punishment. It is significant to note that when on the death of Dr JB Danquah, a student of University of Ghana, LO Cantey, at formal dinner in Commonwealth Hall, led students to observe a minute’s silence in his memory, Cantey was arrested and detained under the PDA.<sup>18</sup>

**1.14.2.4** Obetsebi Lamptey suffered a similar fate. He was detained a very sick man almost at the point of death. He was given some medical attention at the Korle-Bu Teaching Hospital where he was chained to his bed. Later he was sent home. He was, however, re-arrested in his sick state and sent to the Nsawam Prison on a stretcher and placed in the Prison Hospital. He died in prison.

**1.14.2.5** These developments led to the people of Ghana becoming disenchanted with the Nkrumah regime and they began to fight back at the oppression and suppression of the exercise and enjoyment of their fundamental rights and freedoms. The attempts to de-stabilise the government could be seen in the series of bomb explosions that either killed or maimed people. These explosions resulted in the further tightening of security and the arrests and detention of more and more people.

### **1.14.3 The Assassination Attempts On The President And Implications For National Security**

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<sup>15</sup> *Report of the Commission Appointed To Enquire Into The Conditions Prevailing In The Ghana Prisons Services*, supra, para 112, p.20.

<sup>16</sup> *Political Parties and Democracy in Ghana’s Fourth Republic*, K A Ninsin and F. K. Drah, (eds) 1993, Woeli Publishing Services, Accra p79.

<sup>17</sup> Report of Commission, supra, para 63, p12.

<sup>18</sup> Mike Oquaye, “Youth, Politics and Society in Ghana” in *Civil Society in Ghana* F.K. Drah and M. Oquaye (eds) Accra, Friedrich Ebert Foundation, 1996; chapter 10, p163 at p181.

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**1.14.3.1** Two incidents that constituted grave breaches of security are worthy of mention as they were attempts actually made on the life of President Nkrumah. The first was in August, 1962, at Kulungugu. The President had gone to meet with President Yameogo of Upper Volta (now Burkina Faso) to finalise a Customs Agreement between the two countries at Tenkudugu, a small frontier town, a few miles from Bawku. On his return journey, the President stopped at the village of Kulungugu to inspect a Guard of Honour mounted by school children. A hand grenade was thrown at President Nkrumah, which caused some deaths and many casualties. The President escaped death narrowly, but sustained injuries.<sup>19</sup>

**1.14.3.2** The people of Kulungugu were punished for this incident. Some days after the explosion, all houses in the village were burnt to ashes by the police at dawn. All foodstuffs in barns and living rooms as well as farm animals were also burnt. Many of the villagers were arrested and detained at Bawku.

**1.14.3.3** The second attempt occurred in 1964, when a police constable, Ametewee, on guard duty at the President's residence, the Flagstaff House in Accra, fired at the President, missing him and killing one of his bodyguards, Salifu Dagarti, in the process.

**1.14.3.4** In the wake of the Kulungugu bombing, President Kwame Nkrumah dismissed and detained the head of the Police Service, E R T Madjitey as well as one of his two deputies, S D Amaning. J H Owusu-Sekyere, Head of CID and other Senior Police Officers were dismissed.

**1.14.3.5** Thus civilians and members of the Security Services alike became victims of gross human rights violations. Between November, 1958, and 23<sup>rd</sup> February, 1966, hundreds of Ghanaians across the length and breadth of the country, suffered detention under the PDA. This in turn created fear, suspicion and insecurity among the citizenry.

**1.14.4 Politicisation Of The Security Services**

**1.14.4.1** During President Nkrumah's government, efforts were made to politicise the Security Services. The government required them to be CPP card-bearers and the Senior Officers to undergo ideological training at the Kwame Nkrumah Ideological Institute at Winneba. This was resisted by the High Command of the GAF.

**1.14.4.2** The politicisation of the security services by the CPP Government was evident in the way their independence was undermined. The military for instance, strongly resented the unceremonious retirement of Generals S J A Otu and JA Ankrah, then Chief of Defence Staff and Deputy respectively, from the GAF, and the Military considered the action unwarranted and unduly heavy-handed. The basis of the strong resentment was that the act constituted an undermining of their institutional integrity. According to Col Afrifa, the dismissal of the Generals was one of the major

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<sup>19</sup> See Tawia Adamafio, *By Nkrumah's Side: The Labour and the Wounds*, West Coast Publishing House, Accra in Association with Rex Collings, London, 1982, pp. 124-127.

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factors that led to the coup d'état.<sup>20</sup> This abrupt termination of their careers was a violation of the human rights of the two military chiefs.

**1.14.5 Conclusion**

**1.14.5.1** President Nkrumah had the PDA passed in 1958, which gave him power to detain persons he and his party considered to be security risks. Under the PDA, hundreds of Ghanaians, mainly the political opponents of the CPP were detained under very inhuman conditions.

**1.14.5.2** He was declared the Life President of the Republic of Ghana after the country had become a One-Party State. The suppression of the civil and political rights of the citizenry became a source of instability, and the deprivation of freedom of speech on account of the operation of the PDA, created unhappiness among the general populace.

**1.14.5.3** President Nkrumah also initiated a policy of introducing partisan politics into every aspect of Ghanaian life, and required party-membership of every person employed by the Republic, including members of the Armed Forces. Heads of Security Services who appeared not to support these policies were retired or dismissed from their posts. As at 1965, it was impossible to remove the President from office by any constitutional means.

**1.14.5.4** He established the PDD and POGR, who were primarily responsible for his security and protection. The existence of these two units, better resourced and therefore better motivated than their colleagues in the regular security services, created disaffection. This situation explained the extent of human rights violations and abuses to which they were subjected when the government was overthrown in February, 1966.

**1.15.0            24<sup>TH</sup> FEBRUARY, 1966 – 30<sup>TH</sup> SEPTEMBER, 1969:  
NATIONAL LIBERATION COUNCIL (NLC) REGIME**

**1.15.1 The Coup D'état Of 1966**

**1.15.1.1** At dawn on 24<sup>th</sup> February, 1966, a group of officers from the Police and the Army led by Col Emmanuel Kwasi Kotoka, Col Albert Kwesi Ocran and Maj Akwasi Amankwa Afrifa, staged a coup d'état that removed President Nkrumah from office, while the latter was on his way to Hanoi, Vietnam, on a peace mission. Thereafter a new government, the National Liberation Council (NLC) was formed, comprising the three aforementioned army officers, and a retired deputy head of the Armed Forces, Lt-General Joseph A. Ankrah as Chairman. The Police Chief, John W K Harley, was the Deputy Chairman, and three other senior Police officers, Anthony K. Deku, JEO Nunoo and Bawa A. Yakubu, all of the status of Commissioner of Police, were also

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<sup>20</sup> Afrifa, supra, p.102.

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members of the NLC. Thus for the first time, in the history of the country, the security services became directly involved in the governance of Ghana.<sup>21</sup>

**1.15.1.2** The NLC appointed “Commissioners” to head the various Ministries. The members of the NLC together with the Commissioners constituted the Executive Council. Unlike the CPP Government, the NLC did not create any special or extra security unit(s); they preserved the traditional security institutions. The assumption was that once the military and the police were in power, the potential threat of a coup by officers of these institutions was greatly minimised.

**1.15.1.3** The NLC suspended the 1960 Republican Constitution, the President and the Parliamentarians were dismissed from office, and the CPP, the only political party at the time, was banned and membership of it prohibited. The original colours of red, gold, green, with the Black Star in the middle of the gold band of the Ghana Flag, that had been changed to the CPP colours by substituting the gold band with the white-band of the CPP in 1964,<sup>22</sup> were restored.<sup>23</sup>

**1.15.1.4** The NLC passed the Protective Custody Decree, 1966 (NLCD 2) under which all Ministers, Parliamentarians, Regional Commissioners, District Commissioners and senior functionaries of the CPP were detained without trial. Party and Ghana Young Pioneers’ paraphernalia were banned. Books and publications, related Dr Nkrumah and scientific socialism, as well as communist propaganda materials were burnt. Public exhibition of effigies of Dr Nkrumah, as well as symbols of the CPP, were also prohibited. Persons found with these objects were molested by the security forces.

**1.15.15** The members of the PDD became the targets for human rights abuse by the regular security services in a move to avenge the neglect the latter had suffered at the expense of the former under President Nkrumah. It is reported that they mounted the strongest resistance to the attacking forces on 24<sup>th</sup> February, 1966. According to Afrifa,

Our leading companies, the Radio Station Company and Flagstaff House ones, came under heavy machine-gun fire from the entrance of the Flagstaff House. A Russian made armoured car had perched itself there and was firing long bursts. Three of our troop-carrying vehicles were set on fire and a signal vehicle was completely destroyed although the driver escaped. We suffered our first casualties here...<sup>24</sup>

Another account of the resistance that day is as follows:

<sup>21</sup> “The Effect of Military Involvement in Politics on the Armed Forces,” Memorandum presented to the National Reconciliation Commission. The causes and effects of indiscipline and unprofessionalism in the security services is discussed in greater detail elsewhere in this chapter.

<sup>22</sup> Constitution (Amendment ) Act, 1964 (Act 224), section 7, amending article 7 of the 1960 Constitution.

<sup>23</sup> National Liberation Council Proclamation, as amended by National Liberation Council Decree, 1966 (NLCD 1).

<sup>24</sup> Afrifa, *supra*, p 34.

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The principal clash occurred at Flagstaff House, Nkrumah's residence, where pro-Nkrumah army personnel and security guards put up strong resistance against rebel troops. The defenders were finally overcome, and more than 20 persons were killed [among them reportedly 11 Russians].<sup>25</sup>

**1.15.1.6** Some members of the PDD were lined up and executed, after they had surrendered to the attacking forces. Others were detained under a new Protective Custody Decree<sup>26</sup>, and their personal effects were looted from their residential quarters. Those who had travelled with Ex-president Nkrumah to Asia went with him to Guinea, Conakry and decided to remain in exile with him, some on account of their loyalty to Dr. Nkrumah, and others on account of stories they heard about the ill-treatment of PDD members in Ghana.

**1.15.1.7** The rule of the NLC also saw the freezing of assets and bank accounts of CPP functionaries and CPP-related organisations.<sup>27</sup> The Auditor-General was mandated to audit the accounts of the CPP and CPP-related organisations,<sup>28</sup> and following his findings, the assets were confiscated to the state.<sup>29</sup>

**1.15.1.8** Commissions of Enquiry were established to probe the assets of CPP functionaries, and assets found to have been acquired by unlawful means were confiscated.

**1.15.1.9** The NLC banned most of the leading members of the defunct CPP from contesting the 1969 elections.<sup>30</sup> They were also banned from holding public office for ten years. This was applied to members of the PDD after their release from prison.

**1.15.1.10** A former senior security officer under the Nkrumah regime, Boye Moses, who had returned to Ghana from Guinea, was paraded through the streets of Accra in a cage, on his way to detention at the Ussher Fort Prison. *Daily Graphic*<sup>31</sup> carried the story and stated that the crowds that had lined the streets shouted for his death and jeered at him calling him a monkey. He was subsequently detained.

**1.15.1.11** The NLC displayed its intolerance for dissenting views on several occasions. For instance, between 1966 and 1969, the Trade Unions, expressing dissatisfaction with the low level of wages and other conditions of service, launched a series of strikes to demand better conditions. One of the most serious of these strikes

<sup>25</sup> Thomas A Howell and Jeffrey P Rajasooria (eds) *GHANA & NKUMAH*, Facts on File Inc., NY, NY, 1972, p113.

<sup>26</sup> National Liberation Council Proclamation, as amended by National Liberation Council Decree, 1966 (NLCD 37).

<sup>27</sup> National Liberation Council (Assets and Bank Accounts) Decree 1966 (NLCD 7).

<sup>28</sup> National Liberation Council (Auditor-General's functions Decree 1966 (NLCD 12).

<sup>29</sup> National Liberation Council Forfeiture of Assets Decree, 1966 (NLCD 23).

<sup>30</sup> F.K. Buah, *A History of Ghana of Ghana*, 1998, (London and Oxford: Macmillan Education Ltd.) p 198.

<sup>31</sup> *Daily Graphic* Vol 5075 Tuesday, 24<sup>th</sup> January 1967.



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involved the mineworkers of at Prestea. Three of the striking workers were shot dead by the police during a confrontation.<sup>32</sup>

**1.15.1.12 The Massacre at Yendi**

**1.15.1.12.1** In November, 1968, the NLC supervised the enskinment of the Mion Lana as Ya Na Andani III. This move of the NLC was approved and supported by the District and Regional Administration, and by local units of the Army and Police.<sup>33</sup> The Abudulai family, however, protested against this enskinment to the NLC Government, and a committee under the chairmanship of Nene Azu Mate Kole, with Isaac Amisah-Aidoo (now Nana Obiri Yeboah) and Jato Kaleo as members, was appointed to investigate Yendi Skin Affairs. The terms of reference for the committee was for it to ascertain the customary procedure for the selection and installation of a Ya Na, and also to determine if Ya Na Andani had been properly selected and installed or not.<sup>34</sup> The committee was also to determine whether or not, if the said installation was unduly influenced by the presence of armed soldiers and policemen as well as the District Administrative Officers in the area.<sup>35</sup> While the Committee was at its work, the NLC Government concurrently gave Ya Na Andani de facto recognition. As a follow up to this action, representatives of the government paid a courtesy call on the Ya Na in early December, 1968, and he also received the salary of a Ya Na.<sup>36</sup> This move clearly prejudiced the outcome of the committee's investigations and won for the NLC some influence with the Ya Na.

**1.15.1.12.2** The Mate Kole Committee completed its assignment on 8<sup>th</sup> August, 1969, and made findings and recommendations to the effect that the enskinment of Na Andani was a nullity, and that Mahamadu Abdulai, the eldest son of Na Abdulai III be enskinned as Ya Na, instead. Nearly one month later, on 4<sup>th</sup> September, 1969, the NLC announced its acceptance of the findings of the Committee. In the mean time, Na Andani had died on 12<sup>th</sup> March, 1969, while the committee was still sitting.

**1.15.1.12.3** The Andani Family refused to accept the outcome of the Mate Kole Committee and about six hundred (600) of them proceeded to occupy the Ya-Na's palace, ostensibly to perform the final funeral rites of the late Na Andani, as a Ya Na. Between 5<sup>th</sup> and 8<sup>th</sup> September, 1969, the government ordered the surrender of all arms in Yendi, and on 8<sup>th</sup> September, the Regional Administrative Committee headed by Col Laryea, ordered the occupation group of the Andani Family to leave the Ya Na's palace immediately. By 8<sup>th</sup> September, 44 shot guns and other offensive weapons had been surrendered to the police.<sup>37</sup>

**1.15.1.12.4** On the morning of 9<sup>th</sup> September, 1969, the police, under the Command of Superintendent Alhassan, surrounded the palace. A great tragedy unfolded as the police, armed with live ammunition, proceeded to storm the palace when the

<sup>32</sup> Ninsin and Drah, 1993, op cit, supra, p 2.

<sup>33</sup> Paul Ladouceur, "The Yendi Chieftaincy Dispute and Ghanaian Politics", *Canadian Journal of African Studies* VII (1972), 97-115, University of Sussex, Brighton, England.

<sup>34</sup> *Daily Graphic* vol. 5663 Friday, 13<sup>th</sup> December, 1968, p.1.

<sup>35</sup> *Local Government Bulletin* No 55, December 14 1968.

<sup>36</sup> Ladouceur, supra.

<sup>37</sup> Petition of Baba Issifu, representative of Andani Family to the Commission.

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occupation group refused to leave. There were many deaths and injuries, including women and children. The numbers of casualties were put variously as 23 dead and 41 injured<sup>38</sup> and 36 dead and forty-one injured.<sup>39</sup> 21 others were arrested and detained in prison for up to 21 days.

**1.15.1.12.5** Coming at the tail end of the NLC's rule, and in the transition period between it and the civilian administration, the incident was not investigated. The government accepted the police report that the police contingent to the palace was attacked with cutlasses and other offensive weapons, hence the shooting. However, an independent Judicial Inquiry into the incident should have been ordered as the circumstances surrounding the killing and injuring of so many civilians by the police, should have been the subject of a Judicial Inquiry, and appropriate remedial measures taken by the government. The Progress Party (PP) government did not find it necessary to inquire into the incident either, even though there were calls in Parliament by the Opposition, for the government to open up the matter in order to provide the public with an independent account of the incident.

**1.15.1.13 Effect Of The Coup On The Armed Forces**

**1.15.1.13.1** The Armed Forces had its fair share of the negative effects of the coup d'état. When commanders got involved in national politics, the demands of the Military institution were pushed to the background, leaving only a few experienced officers to run the units. This resulted in a breakdown of discipline and lowering of standards of professionalism in the GAF. According to Lt-Gen Ocran:

The Officer who tries to serve two masters by combining politics and military duties becomes at once a bad soldier and a bad politician... military supremacy over civil authorities ruins both the nation and the military.<sup>40</sup>

**1.15.1.13.2** The taking up of appointments in government by senior military officers sowed the seeds for future coups d'état as the taste for political office and the associated perquisites had been introduced to those officers. This had other consequences for the Military Institution as the further disruption of military life by future engagement in civil political life had been guaranteed.

**1.15.2 The Abortive Coup D'état Of 1967**

**1.15.2.1** On 17<sup>th</sup> April, 1967, Lt Samuel Arthur led a group of soldiers of the Recce Regiment based at Ho, to attempt to overthrow the Government of the NLC. Lt Moses Yeboah and 2<sup>nd</sup> Lt Emmanuel Osei-Poku were active participants in the attempt.

**1.15.2.2** They divided their troops, into three groups to attack the Flagstaff House, Osu Castle and the Broadcasting House. At the Flagstaff House, Lt Yeboah met

<sup>38</sup> *Evening Standard* Vol I No 160, Wednesday, 10th September, 1969, p.1.

<sup>39</sup> Petition of Baba Issifu, representative of Andani Family to the National Reconciliation Commission.

<sup>40</sup> Albert Ocran (Lt-Gen), *Politics of the Sword*, as quoted in Mike Oquaye, *Politics in Ghana 1972-1979*, TORNADO PUBLICATIONS, 1980, p80.

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resistance from Lt Gen Kotoka and in the process Lt Gen Kotoka and his personal Orderly, Sgt Osei Grunshie, were killed. Two other officers, Capt Cephas Y. Borkloe and Capt A. Avevor were also killed by the putschists. All of them were buried with full Military Honours. L/Cpl Emmanuel Aborbor of the Ho Regiment who also lost his life in the attempt, was buried without Honours.

**1.15.2.3** Lt Gen Kotoka's body was later found in the area of the Accra International Airport. The NLC named the International Airport after him, and also established a Trust Fund named the Kotoka Trust, to provide for the families of the fallen loyal troops.

**1.15.2.4** A six-man Military Tribunal tried and sentenced Lt Arthur and Lt Yeboah to death by firing squad, while 2<sup>nd</sup> Lt Osei-Poku was sentenced to 30 years imprisonment. The two condemned men were executed in public at 9.00 a.m. on 26<sup>th</sup> May, 1967, before a large crowd of about 20,000.

**1.15.2.5** Three other officers were sentenced to prison terms. Five officers and about 200 other ranks were placed in protective custody. In all, ten Protective Custody Decrees were passed, that committed hundreds of people to detention, including those who were accused of jubilating upon hearing news of the coup, before it was foiled.

**1.15.2.6** It is worth noting at this time that during the trial of the officers and men involved, the issue of what constitutes a lawful order came up when it became clear that they did not know that in following orders to attack the Castle and other installations of national importance, they were obeying unlawful orders.

**1.15.3** The NLC Government handed over power to a civilian government, headed by Dr Kofi Abrefa Busia after the elections of 29<sup>th</sup> August, 1969. However, the precedent had been set and the soldiers' desire to engage in civil political office had been created, as well as a messianic sense of mission: that it was the duty of the military to rescue the country from poor governance of civilian politicians. The citizenry also shared this sense of mission, and would, in the years ahead, appeal to, and expect, the military to take charge of the government as and when there was disenchantment with the government. These and other factors led to the overthrow of the Second Republic and its first government, the PP government, led by Dr Busia, by Col Ignatius Kutu Acheampong, on 13<sup>th</sup> January, 1972.

**1.15**                    **1<sup>ST</sup> OCTOBER, 1969 - 12<sup>TH</sup> JANUARY 1972:**  
**SECOND REPUBLIC**

**1.16.1**    **Aliens Compliance Order**

**1.16.1.1** The Progressive Party Government under Dr. Busia, was inaugurated on 1<sup>st</sup> October, 1969. This period coincided with the Nigerian Civil War, and there was an influx of refugees from Eastern Nigeria (then Biafra). Not long after the new government took office, pressure began to mount for firm action to be taken against the influx of aliens into the country on account of increased crime time in the country. The matter was discussed in Parliament and the government announced that it was

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going to enforce the provisions of the Aliens Act, 1963 (Act 160) and its accompanying Regulations in L.I. 265 as amended by LI 553. On 19<sup>th</sup> November, 1969, the government issued the following statement:

All aliens both African and non-African without residence permits should leave the country within 14 days – not later than December 2, 1969.<sup>41</sup>

**1.16.1.2** The implementation of the Order caused a lot of human suffering as families which had resided in Ghana for more than three generations, and persons who had lost touch with their original homelands, were given only fourteen days to regularize their stay or leave the country. After the expiration of the period, the police began to arrest those who had not then left, and they were kept in the open, living in insanitary conditions around police stations.

**1.16.1.3** Many were trapped under inhuman living conditions as they waited for inadequate or non-existent transportation to carry them home. There were many reports of Ghanaians attacking and molesting aliens to the extent that the government had to issue a warning to the public to desist from such acts. It even became necessary for police protection to be given to some aliens in Kumasi. Many were the heart-rending tales of suffering that were told and the sad spectacles that were seen during the implementation of this Order.

### **13<sup>TH</sup> JANUARY 1972 – 3<sup>RD</sup> JUNE 1979 - NRC/SMC I & II**

#### **1.17.1 The Establishment Of The NRC**

**1.17.1.1** On 13<sup>th</sup> January, 1972, the nation received news of yet another coup d'état led by Col Ignatius Kutu Acheampong, Commander of the First Infantry Brigade. A government, the National Redemption Council (NRC), was formed with Col Acheampong as Chairman and Head of State. It should be noted here that Col Acheampong had tasted political power once, as the Chairman of Western Region Committee of Administration under the NLC regime.

**1.17.1.2** Members of the overthrown Progress Party (PP) became targets of human rights abuse. In line with the practice established by the NLC, the NRC called its action “a revolution”, and consequently suspended the 1969 Constitution; proscribed all political parties; and caused the detention of government and PP functionaries,<sup>42</sup> thereby forcing some functionaries to go into exile in the neighbouring countries.<sup>43</sup> In May, 1972, 323 persons out of the large number that had been detained after the coup were freed from custody for the reason that they were not threats to state security.<sup>44</sup>

<sup>41</sup> *Daily Graphic*, Vol. 5952 Wednesday, November 19, 1969. p1.

<sup>42</sup> *Ghanaian Times*, Vol. 44o5 Friday, 28<sup>th</sup> January, 1972, back page “PP Activists Are Back In Custody.”

<sup>43</sup> See *Daily Graphic*, Vol 6712 Saturday, 6<sup>th</sup> May. 1972, p 1.

<sup>44</sup> See *Daily Graphic*, Vol.6621 Tuesday, 18<sup>th</sup> January 1972, p 1, Banner headline.

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**1.17.1.3** Most of the functionaries, including Dr Busia, were required to appear before commissions of enquiry to defend the acquisition of their personal assets. Most of those assets, including those acquired before coming into political office, were confiscated to the State. The NRC Government called the members of the defunct PP Government as “nation wreckers” and thereby justified the decision to confiscate what the “nation wreckers” owned. Dr Busia, who was outside the country at the time, had adverse findings made against him by the commission of enquiry, and his properties, including those of his nuclear and extended families, were confiscated to the State.

**1.17.1.4** The NRC government was made up of a number of senior officers in the security services. However, the norms of military hierarchy were subverted by the fact that the prime conspirators, consisting of the newly-promoted Colonel, Acheampong, who became the Chairman and hence Head of State, Majors Kwame B Agbo, Anthony H. Selormey and Kwame Baah, constituted the core of the ruling body. This phenomenon of relatively junior Officers constituting the core of a ruling government, was bound to cause problems of discipline in the Armed Forces, as the CDS, Napoleon Y R. Ashley-Lassen was a Brigadier.

**1.17.1.5** The NRC made a conscious effort to involve the rank and file of the security services in its political programmes. Junior officers joined in the implementation of the “Operation Feed Yourself” Programme which was a programme of the NRC to ensure that the country achieved self-sufficiency in food production. The Head of State himself urged the security services to get involved in what the government stood for. As the *Ghanaian Times* wrote under its banner headline: “Get Involved in Revolution”:

Col. I. K. Acheampong, Head of State and Chairman of the National Redemption Council, yesterday reminded members of the Armed Forces of their involvement in the revolution and urged them to continue to support the efforts of the government as they have admirably done.<sup>45</sup>

**1.17.1.6** A culture of detaining civilians in guardroom began, and military norms were infused into civilian life. Civilians were subjected to military drills when found to have misconducted themselves according to rules prescribed by the military rulers. Thus, late-comers to work, loiterers, and even commercial sex-workers were subjected to military drills as a form of “discipline.”

**1.17.2 Price Control**

**1.17.2.1** The NRC launched a campaign to reduce prices of essential consumables, tagged “essential commodities, (or “essenco,“). This action led to the creation of artificial shortages of goods, as those who had them hid them, often, in order to sell them at prices higher than those set down on the Price Control List. Consequently, a new crime of “hoarding” was created, as people perceived to be keeping goods away

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<sup>45</sup> *Ghanaian Times*, Vol. 4,402 Friday, 21<sup>st</sup> November, 1972, p1

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from the open market, were targeted.<sup>46</sup> Those believed to be selling goods above the stipulated prices were also covered by the new laws, and both groups were denoted as economic saboteurs. Economic sabotage became a serious crime against the State, and offenders were severely molested in swoops on markets by members of the security services, and their goods seized and sold off. Such swoops became “military exercises”, and the military expression “exercise” entered the Ghanaian civilian vocabulary. The *Ghanaian Times* reported on some of the early acts done during the campaign launched by the Acheampong Government: “The Army and the Police in a combined operation yesterday swooped on two Accra markets in an anti-profiteering and hoarding exercise.”<sup>47</sup>

**1.17.2.2** The state of the economy and social life were so run down, that a chit system for release of commodities from the factories and warehouses was developed. This was a mechanism for ensuring that only people with valid chits could obtain the commodities, so as to protect the price control system. The chit-system, however, got so corrupted that only persons with connections to highly-placed officials and managers of Commercial Houses could obtain such chits. These persons then turned round and re-sold the goods, or even the chits themselves, at many times the control price. The system, therefore, bred untold corruption, influence-peddling and moral decadence, with consequent hardship to the eventual consumer. *Kalabule*, the term for corruption and profiteering from selling goods above official prices became the order of the day, as briefcase-toting young men, and black hand-bag wielding young women claiming to be “businessmen and women” with no fixed business addresses appeared on the scene. The term “middleman” became synonymous with a person who was cheating both the producer and the consumer by buying at low prices and selling at extremely high prices, thereby making inordinately high profits. Many of the nation’s top academics and professionals left the country as economic refugees.

**1.18 SMC (I)****1.18.1 Formation Of SMC**

**1.18.1.1** On 7<sup>th</sup> October, 1975, the NRC was converted to a new body, the Supreme Military Council (SMC), composed of the CDS, the Service Commanders and the IGP. Col Acheampong, now General Acheampong, became its chairman and so remained the Head of State. The Majors who were the core members of the NRC were dropped from the membership of the new body. The restructuring was aimed at restoring the Military Command Hierarchy of the Armed Forces. Thus, the SMC became the closest to a “Military Government”, than any of the other governments before, or since.

**1.18.2 Union Government (Unigov).**

<sup>46</sup> The Price Control Decree, 1974 (NRCD 305) and Price Control (Amendment) Decree, 1978 (SMCD 146).

<sup>47</sup> 28<sup>th</sup> January, 1972, supra.

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**1.18.2.1** The national economy continued to deteriorate, and civil society began to mount pressure on the government to return the government to civilian constitutional administration. In a bid to save his ailing government, and anxious to hold on to power, General Acheampong announced a new political concept, which he claimed was more in accord with Ghanaian cultural traditions, while respecting the prominence of the security services in governance. The concept, propounded in 1977, was known as Union Government (UNIGOV), and it was to be a no-party government with representation from the military, police and civilian population. UNIGOV met with widespread disapproval and the government set up committees nationwide to oversee the education on the concept. “Education”, however, became a euphemism for propaganda on the concept as no ideas contrary to the government-proposed ones were tolerated, and any opponents of the idea were subjected to molestation.

**1.18.2.2** An attempt to organise a seminar on UNIGOV at the Accra Community Centre by the Association of Recognised Professional Bodies (ARPB) was brutally suppressed, with the speakers and audience being attacked and chased out of the premises by hired thugs. Consequently, in defiance of the ban on partisan politics, a number of persons opposed to UNIGOV, organised themselves into groups and mounted a concerted opposition. The largest of such groupings, the People’s Movement for Freedom and Justice (PMFJ), was formed in January 1978, with one of its leaders being Lt Gen Afrifa of the former NLC.

**1.18.2.3** To counteract the upsurge of opposition to UNIGOV, Gen Acheampong had other groups organised, and they, together with the security agencies attacked members of PMFJ at their functions. The opposition groups linked up with the National Union of Ghana Students (NUGS) and students, particularly of the tertiary institutions, organised activities to unseat the government. Students in some secondary schools were attacked by this combination of forces.

**1.18.2.4** The concept was put to a referendum on 30<sup>th</sup> March, 1978, and it was clear that the concept had not won popular support. The official regulations for the referendum provided that the ballots should be counted at the polling stations, but the SMC gave a counter directive on radio that the ballots should be taken to regional centres for counting. The Electoral Commissioner, Mr. Justice Isaac K. Abban, who opposed these acts of interference with the electoral process, had to flee for his life when armed members of the security services surrounded his office, in order to arrest him. He was promptly dismissed and went into hiding after declaring the first two results just before midnight of that day. The next day when the state-owned media announced the results, UNIGOV had been accepted by 54% in favour and 46% against. These results were loudly contested by members of the general public, and the government responded with widespread arrests and banning of opposition groups.<sup>48</sup> Some of the prominent members of the banned groups fled into exile in the neighbouring countries. The government then set up a Constitutional Commission to draft a Constitution for UNIGOV.<sup>49</sup>

<sup>48</sup> Voluntary Associations (Prohibition) Decree, 1978 (SMCD 161).

<sup>49</sup> Constitutional Commission Decree, 1978 (SMCD 164).

**VOLUME 4** CHAPTER 1**1.18.3 Government-Students Clashes**

**1.18.3.1** There were clashes between students and security services on account of the opposition that was mounted by the students to the government. In May, 1976, students of University of Ghana went on demonstration against the government. Thereafter, security agents were assigned to the campus, and there were many intelligence operations by Military Intelligence on the campus, leading to a radicalisation of student-government relations. In May, 1977, students of the University of Ghana again went on demonstration against the government, and were attacked by the police, even though they offered no resistance. Many students were injured. The unrest spread to the other universities and consequently, all of them were closed. Students were sent home, thus diffusing the opposition to government from the student-front, into the general population.

**1.18.3.2** On 13<sup>th</sup> January, 1978, students of University of Ghana went on demonstration and organised a mock burial of Gen Acheampong and the SMC. A confrontation occurred between the students and the police and following that, the students kidnapped a policeman on guard duty at a bank on campus. Even though the policeman was later released by the students, his rifle was not released. Consequently, the police moved in, ostensibly to look for the missing rifle and with heavy gear, armoured vehicles and teargas, stormed the campus, beating up staff and students alike, and injuring more than twenty of them. The universities in the country were consequently closed down, and the whole country appeared to be degenerating into chaos as the spate of violent attacks increased.

**1.19 SMC II**

**1.19.1** Civil unrest continued, and was rampant. By June, 1978, it was clear that the SMC was doomed. On 5<sup>th</sup> July, 1978, after a plot had been hatched among his colleagues on the SMC, a small group of officers managed to isolate General Acheampong from his bodyguards and forced him to sign his own resignation letter. Lt-Gen Frederick William Kwasi Akuffo took over the chairmanship of the SMC, which popularly became known as the SMC II. Lt-Gen Akuffo made attempts to win popular support by releasing all those who had been detained in the wake of the UNIGOV referendum and extended an invitation to all political exiles to return home.

**1.19.2** The SMC II was expected to bring Gen Acheampong, who was then in custody, to trial for his misrule, and the poor economic management that had brought the country to its knees. This expectation, however, was not met, despite calls from civil society groups for the proper thing to be done. The government then passed the Armed Forces (Miscellaneous Provisions) Decree, 1979 (SMCD 235), releasing Gen Acheampong from custody and stripping him of his military rank and his entitlements. He was also confined to Trabuom, his hometown in the Ashanti Region. Fresh powers of arrest were conferred on policemen as well as soldiers, that should "Mr" Acheampong leave his hometown, any soldier or policeman could arrest him and detain him for the purpose of returning him to Trabuom.



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**1.19.3** The SMC II government expanded the membership of the Constitutional Commission and changed its mandate. It was now asked to draft a Constitution for an Interim National Government. This new body was, however, to use as one of its source material, the findings of the Ad Hoc Committee on UNIGOV.<sup>50</sup> This attracted criticism that the Interim National Government was UNIGOV in disguise and further agitation caused the government to change its mind and establish a proper Constituent Assembly to draft a Constitution for a return to civilian rule.<sup>51</sup> The Decree also fixed 1<sup>st</sup> July, 1979, as the date for handing over to an elected government.

**1.19.3 Currency Exchange**

**1.19.3.1** In March, 1979, the government suddenly closed the borders and demonetized Ghana's currency. Simultaneous with the decision to demonetise the currency and thus mop up the excess liquidity, was a decision that money already in the banks would not lose its value.

**1.19.3.2** Upon the taking of this policy decision, the information leaked out to those who had links within the political hierarchy, and consequently, those who were privileged to receive prior information, quickly began to flood the banks with their private holdings. This flurry of activity among of those who had been forewarned of the demonetisation plan soon came to the attention of the government, as it threatened to derail the very objective for which the policy had been adopted. The government therefore passed a Decree,<sup>52</sup> which provided for the halving of the value of any money paid into the bank within a particular period. The result of this Decree was that persons, who in the ordinary course of business paid money into their bank accounts, lost half the value.

**1.19.3.3** The entire country was given three weeks within which to turn in all their currency holdings for issuance of fresh currency. This policy caused a great stampede and suffering. Those who could not lay hands on any of the new notes could not buy food as market women refused to accept the old notes. As everyone rushed to exchange the old cedis for the new before the deadline, there was a great rush to the banks, and personnel of the Security Services detailed to keep order, used whips and even live ammunition, to keep order in those long queues at the banks. A number of persons were killed or wounded by such security personnel.

**1.19.3.4** At the end of the period of ultimatum, many people, particularly rural dwellers, had become impoverished overnight as all their private wealth caches had become useless paper. This policy, as well as the manner of its implementation, caused great anger against the government and senior military personnel, as it was believed that they and their relations had foreknowledge of the demonetisation and so had not gone through the suffering that the general population had gone through, in those terrible three weeks.

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<sup>50</sup> Constitutional Commission (Amendment) (No.2) Decree, 1978 (SMCD 173).

<sup>51</sup> Constituent Assembly (Commencement of Proceedings) Decree, 1978 (SMCD 209); Constituent Assembly (Amendment) Decree, 1979 (SMCD 220).

<sup>52</sup> The Cedi (New Notes) Decree, 1979 (SMCD 226).

**VOLUME 4 CHAPTER 1****1.20 Involvement Of The Armed Forces In Governance Under NRC/SMC /SMC I & II**

**1.20.1** By government policy, many senior military officers were seconded to civilian organisations to work. The seconded officers soon acquired wealth, and properties that appeared to be beyond their legitimate incomes. Many of them also acquired private businesses, in contravention of ethics of Armed Forces. This involvement in civilian enterprises affected their standards of discipline, and the morale of those in barracks.

**1.20.2** The general economic conditions in the country affected ordinary soldiers as they did the ordinary citizens. As they could not make ends meet on their official incomes, they also tried to find ways and means of supplementing their incomes, much to the neglect of their military duties. The ordinary soldiers believed that their plight had been caused by their officers who appeared not to be experiencing the same types of hardships on account of their newly-acquired wealth.

**1.20.3** A lot of officers in the GAF became disgruntled that they did not get the opportunity to be seconded to civilian institutions like the others and there was a lot of disaffection. The disaffection became so strong that some of the personnel began to demand the return of their colleagues who had been “privileged” to serve in civilian institutions. Incidents of disrespect between officers and men were so rampant that loyalty was visibly questionable. Military personnel therefore adopted a lukewarm attitude towards their profession, as disillusionment set in. This practice of seconding senior military officers to civilian organisations, was cited as a source of envy and jealousy between the seconded officers and the officers and men in barracks.

**1.20.4** The Other Ranks were also witnesses to the sudden opulence that came to their superior officers as soon as they took up positions in civilian organisations. These developments caused resentment in the military and general populace and built up anger against Senior Military Officers. The Other Ranks looked on, as “prosperity to the military” passed them by. Discipline thus suffered.

**1.20.5 The Committee On The Problems Of Indiscipline In The Armed Forces**

**1.20.5.1** The standard of discipline got to such a low point that a committee known as “Committee on the Problems of Indiscipline in the Armed Forces”, was established. The committee reported on the conditions affecting discipline in the Armed Forces on 7<sup>th</sup> May, 1979, and listed the factors that generated indiscipline in the Armed Forces, among other things, as follows:<sup>53</sup>

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<sup>53</sup> See the Report of the Committee on the Problems of Indiscipline in the Armed Forces, dated 7<sup>th</sup> May, 1979.

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- Bad turnout
- Failure of officers and men to pay compliments
- Lateness and lack of sense of time to work and master parades
- Non-enforcement of service regulations and orders (stemming from favouritism, inter-service/unit/sub-unit rivalries, non-enforcement of charges by Military Police, non-punishment for misuse of military property, uniforms and insignia.)
- Low esprit de corps
- Loss of military bearing due to lack of supervision and education by seniors
- Fraternalisation of officers with other ranks, resulting in gossip, backbiting and use of junior ranks as spies on officers.
- General maladministration
- Absence of leadership and good example
- Misbehaviour of troops on operations
- AWOL
- Lack of accommodation and transportation
- Low pay and allowances
- Presence of civilians in military barracks (often friends and relations of military personnel.)
- Troops not being afforded an opportunity to see their confidential reports.
- Manpower shortage
- Military involvement in civil administration
- Abuse of channels of communication
- Generally poor “officer-man” relationship
- Poor quality of rations
- Recruitment influenced by nepotism and tribalism
- Suspicions about the credibility of officers among junior ranks.
- Inadequate logistics for operational training
- Poor career planning for officers.
- Irregularities in promotion and appointment of officers and other ranks
- Poor medical care

**1.20.5.2** The Committee also made findings to the effect that Gen Acheampong as Head of State, had set the wrong moral tone as his personal morals came in for severe criticism. The evidence before the Committee was that Gen Acheampong and his cohorts had been openly displaying opulence and a lifestyle of moral decadence, including buying VW Golf vehicles for the young girls with whom they consorted.

**1.20.5.3** Other Senior Officers and their wives were accused of misusing the other ranks and military resources to further their own personal business interests, to the detriment of Military Discipline and code of ethics. The Committee therefore noted the effects of these factors on the Armed Forces.

**1.20.6** These complaints were not to be taken lightly. Indeed, at this time, women who possessed VW Golf cars were subjected to obscene catcalls as the impression gained ground, even in the civilian population, that those vehicles were the product of their immoral associations with Senior Military Officers. These complaints of the

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soldiers were also borne of the belief that the Head of State was wasting the country's resources on his "young women" who kept him too busy for him to concentrate on issues of governance. These feelings of deprivation as well as envy, fuelled disaffection within the Security Services, and it was not by accident, that "Mr" Acheampong was asked to explain his immoral lifestyle at a press conference, two days before he was executed by firing squad.

**1.21 The Police Service**

**1.21.1** The NRC and SMC 1 Regimes were the most favourable to the Police Service. However, the regimes' good treatment of the service was meant to prop it up as a countervailing force to any destabilisation elements. Indeed, but for the ineffective mobilisation of the Police Armoured Car Squadron, the history of events of 4<sup>th</sup> June, 1979 would have been different.

**1.21.2** The government strengthened the Police Service. Almost all units within the service were re-equipped and an ambitious housing project was started countrywide for the service. The Armoured Car Squadron was re-equipped with state-of-the art MOWAG Armoured Cars fitted with remote controlled surface-to-air missiles, 20mm artillery guns as well as single and double-turret general purpose machine guns and tear-gas dispensers. The name was changed to "Force", and the aim was to make the whole service loyal to the regime in general, and Gen Acheampong in particular. Indeed the more the opposition to the Acheampong Regime grew, the more oppressive the service became in its relations with the public, and consequently hatred of the service also intensified.

**1.21.3** The effect of these initiatives was that the whole service was further drawn into partisan politics and members felt obliged to protect the unpopular regime. The hand of the service was strengthened further by a criminal Procedure Code Amendment which gave the Attorney General authority to order the police to detain suspects for 28 days without bail.<sup>54</sup> As in colonial days, the service became an instrument of repression of the government.

**1.22 The 15<sup>th</sup> May Attempted Coup D'état**

**1.22.1** On 15<sup>th</sup> May, 1979, a small group of soldiers under the leadership of one Flight Lieutenant Jerry John Rawlings, a young Air Force Officer, attempted to overthrow the SMC II government. The attempt was foiled, and the culprits were put before a Court-Martial for treason. when the trial opened, the prosecution opened its case by stating the motivation of the young Air Force Officer for what he attempted to do. In the prosecutor's address he stated:

Mr President, the first accused had for a long time felt disillusioned about the injustices in our society, more particularly under Acheampong Regime, and so when in July 1978 the SMC was reconstituted with the removal of Mr Acheampong as Head of State, Jerry John Rawlings thought things were going to be improved. When he realised that there were no improvements in the general

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<sup>54</sup> NRC D 235, section 5.

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conditions of life he was struck with dismay, and lamented over what he termed the tarnished image of the Armed Forces. He regretted that at a time when the military government was due to hand over to a civil Government the Military Government had done practically nothing to improve the image of the Armed Forces.<sup>55</sup>

The DPP further stated that Rawlings had said that the situation could be corrected only if Ghana went the “Ethiopian way” because “there was the need for bloodshed to clean up the country, and this should start from within the Armed Forces”.<sup>56</sup> The grievances of Flt Lt Rawlings, as stated by the DPP, so coincided with those of both the military and civilian population, that the young officer immediately won admiration for what he had attempted to do. The manner the trial began, put the government, rather than the soldiers involved, on trial. Flt Lt Rawlings won further admiration for bravery, when in an era that had become notable for officer-indifference towards the other Ranks, he declared “Leave my men alone”. This insistence that he alone was to be held responsible for what his men had done under his leadership, persuaded the general public of his sincerity and caring attitude towards the ordinary person of low social standing. This was the beginning of the creation of the “Rawlings mystique” that was to bedevil Ghana politics for succeeding decades.

**1.23 Conclusion**

**1.22.1** The Government of the NRC/SMC just confirmed the precedent set in 1966, that the professional training of the security services was not one that prepared them to assume the reigns of government. The regime cannot be spared the guilt of being one that violated the rights of the citizens and even members of the security services themselves.

**1.22.2** The seizure of political power and the human rights violations committed were a total deviation from the lawful duties and functions of the security services. In the end, the leaders were consumed by the culture of violence that their involvement in politics had nurtured in the nation.

**1.23.0 4<sup>th</sup> JUNE, 1979 – 23<sup>rd</sup> SEPTEMBER, 1979: AFRC****1.23.1 The Establishment Of The AFRC**

**1.23.1.1** On 4<sup>th</sup> June 1979, a coup d’état was staged, mostly by other ranks, following failed attempt on 15<sup>th</sup> May. Beginning as a mutiny in the Army, it developed into a full-blown coup d’état, and then into an uprising. Flt Lt Rawlings, who was in

<sup>55</sup> Oquaye, supra, p 133; also Barbara E Okeke, *4 June : A Revolution Betrayed* Ikenga Publishers, Enugu, 1982, p.38.

<sup>56</sup> Kweku G Folson, “Ideology, Revolution and Development – The Years of Jerry John Rawlings” in *GHANA Under PNDC Rule*, E Gyimah-Boadi (ed) CODESRIA BOOK SERIES, 1993, p.74 at p.75.

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custody at the offices of the Police Special Branch in Accra, was released by a group of junior ranks from custody and taken a short distance across the Ring Road to the Broadcasting House, where he announced the takeover of government. Although some amount of resistance was put up by forces loyal to the government, the mutineers could not be stopped.

**1.23.1.2** The new government that was formed, reputedly in a classroom, was named the Armed Forces Revolutionary Council (AFRC), with Flt Lt Rawlings as the Chairman. The initial membership was added unto, two weeks later, and the full membership of the AFRC was as follows:

- Flt Lt J J Rawlings - Chairman
- Capt K Boakye Gyan - Official Spokesman
- Maj Mensah-Poku
- Maj Mensah Gbedemah
- Lt Cdr HC Apaloo
- Capt Kwabena Baah Achamfuor
- WO II Harry K Obeng
- S/Sgt Alex Adjei
- Cpl Owusu Boateng
- LAC John N Gatsiko
- L/Cpl Peter Tasiri
- L/Cpl Ansah Atiemo
- L/Cpl Sarkodee-Addo
- Cpl Sheikh Tetteh
- Pte Owusu Adu

Lt Cdr HC Apaloo died in a motor accident before the end of AFRC rule.

**1.23.1.3** These members of the council, none of whom was above the field rank of Major when they staged the coup d'état, stated, at the time, that they did not have any political ambitions. Their leader, Flt Lt Rawlings, stated that:

I wish to avail myself of the opportunity to emphasise once again our resolve not to entrench ourselves in office; we are professional soldiers, and we want to return to the line.<sup>57</sup>

Later historical events that unfolded tested the veracity of this assertion.

**1.23.3** Initially it was thought that the coup was to unseat the SMC II government, and to deal with the Senior Military Officers, but events took a different turn when civilians became the targets also. The coup d'état and its aftermath was very bloody. Officers above the rank of Major or its equivalent in the other services, became the targets as well, and the initial proposal was for all of them to be killed without any trial as they were arrested, beaten and detained in guardrooms. Their personal effects were looted from their homes in the various military quarters.

<sup>57</sup> Radio Broadcast, 17<sup>th</sup> June, 1979.

**VOLUME 4** CHAPTER 1**1.23.3 The “House-Cleaning” Exercise****1.23.3.1 The Execution Of The Senior Military Officers**

**1.23.3.1.1** The AFRC dubbed its exercise “house-cleaning”. In the Military, they proceeded and to deal ruthlessly with the previous military rulers as well as those who had taken up civilian political appointments On Saturday, 16<sup>th</sup> June, 1979, “Mr” Acheampong and Maj-Gen E K Utuka, a former Commander of the Border Guards, were executed by firing squad. The execution in public of a former Head of State in this manner, was unprecedented and it was condemned in Ghana and abroad.

**1.23.3.1.2** Again on Tuesday, 26<sup>th</sup> June 1979, two other former Heads of State Gen Akuffo and Lt Gen A A Afrifa, as well as three members of the SMC – Maj-Gen Robert E A Kotei, Air Vice-Marshal George Y Boakye, Rear Admiral Joy Amedume, and a former Commissioner for Foreign Affairs, Col Roger Felli, were executed by firing squad, at the Teshie Firing Range. As the Commission received evidence on these events, it became clear that these eight Senior Military Officers, were never tried. Consequently they were denied the opportunity to defend themselves before an impartial tribunal.

**1.23.3.1.3** Protests against these executions and other blatant violations of human rights yielded positive results as the Chairman of the AFRC announced in a dawn broadcast that there would be no more executions.

**1.23.3.2 III-Treatment of Senior Military Officers**

**1.23.3.2.1** The remaining Senior Officers, then still in guardrooms were put under the supervision of Other Ranks who shaved their heads, beat them and subjected them to many indignities. Those who had held political office were later put before the newly-established AFRC People’s Courts (dubbed “kangaroo courts”), and imprisoned after conviction.

**1.23.3.4 The PIT**

**1.23.3.4.1** The trial processes at these “kangaroo courts” were preceded by appearance before the Pre-trial Interrogation Team (PIT) made up of Junior Officers - three Captains and a Flying Officer, Capt Sammy Michel as chairman, Capt Victor N Okai Koi , Capt Edmund Koda and Flying Officer Ebenezer Odoi. The PIT was supposed to compile information to serve as evidence for the prosecution, and the members did this, by unorthodox methods. Apart from the humiliation of appearing before Junior Officers, the Senior Officers were subjected to beatings, yelled at consistently, tortured with lighted cigarette-ends, had their ears used as ashtrays, received blinding and ear-splitting slaps from behind, and some were pricked with pins, and they were all subjected to sleep-deprivation. The panel subjected them to a barrage of questions that did not allow time, even for answers, and answers that were not considered truthful elicited further slapping from behind.

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**1.23.3.4.2** The three Captains were later accused of corruption and put before their own body, the PIT, then under the chairmanship of Sqn Ldr Darko-Kumi. They were tried before the People's Court, convicted and sentenced to terms of imprisonment. Two of them, Capt Koda and Capt Okai-Koi later broke jail in November 1979, and escaped from Ghana.

**1.23.3.5 The AFRC People's Courts**

**1.23.3.5.1** The AFRC People's Court was presided over by Sqn Ldr Evaristus K Dargbe and was made up of Junior Officers and Other Ranks. During the trials, the Senior Officers were subjected to beatings by Other Ranks, often their own former domestic assistants. They were subjected to various modes of torture and humiliation before panels that sat behind a screen. Conviction was swift, as some cases lasted only ten minutes, before ridiculously long prison sentences, were handed down. Their properties that had been seized, were then confiscated to the state.

**1.23.3.5.2** The first three Senior Officers to be tried, were announced as having been given sentences of five years, eight years and fifteen years respectively. These sentences were later announced as being 50 years, 80 years and 95 years, allegedly because the original sentences announced had been misrepresented by typographical errors. Evidence before the Commission suggested that the changes were made by the Chairman of the AFRC, and not caused by typographical errors, because the sentences announced were considered infuriating by the other Ranks as they were too low. It was thus to assuage the anger of the Other Ranks who threatened to kill the remaining Senior Officers, that the sentences were reviewed upwards. This caused the sentences of those tried later to be hiked to levels as ridiculous as 105 years imprisonment for Col Amevor. The term "AFRC convict" was thus born.

**1.23.3.6 The "House-cleaning" extended**

**1.23.3.6.1** The AFRC also extended the "house-cleaning" to other public civilian institutions. Many top officials were dismissed arbitrarily, and their assets confiscated to the state. These were persons who were believed to be corrupt, or who had been accused of abuse or misuse of their offices, and so they received the same treatment as the Senior Military Officers. Some of these were detained in military guardrooms and others in prisons, only to be told that they had been sentenced to various terms of imprisonment by the AFRC People's Courts.

**1.23.3.6.2** In the general civilian population, businessmen and women suspected to be cronies of the earlier military regimes and consequently civilian collaborators of the Senior Military Officers, or just persons who appeared to be affluent or well-heeled, were attacked as being the cause of the nation's economic woes. Some of these were hauled off to prison, or put before the People's Courts that had been set up all over the country, and subjected to questioning which turned out to be a trial that ended them in prison. Many of these were subjected to such brutalities that they did not survive the ordeal, or could never recover their good health thereafter. At this time,



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being wealthy became a serious offence, for all wealth was criminalised and all wealthy or successful people became targets of military aggression and victimisation.

**1.23.3.7 The Destruction Of Locations For Hoarding**

**1.23.3.7.1** The AFRC gave orders that premises on which hoarded goods had been found were to be demolished.<sup>58</sup> They adopted this policy, in order to compel people with hoarded goods, and landlords of traders to compel them to bring out their goods for sale. Many stores as well as private dwelling houses were consequently demolished in various parts of the country.

**1.23.3.7.2** The AFRC ordered the destruction of Makola No1 Market in Accra., On 9<sup>th</sup> June, goods in the markets in Accra Central were seized and sold to the public at controlled prices. Later, in an effort to mount a major assault on “*Kalabule*” the Makola No 1 Market was demolished on 20<sup>th</sup> August, 1979. Goods worth millions of cedis at that time were destroyed and hundreds of traders lost all their stock and capital, and had nowhere else to trade. Evidence before the Commission, indicated that the soldiers looted the market, first on 4<sup>th</sup> June of some of its goods, then on 20<sup>th</sup> August, before bull-dozing the structures. Civilians who attempted to enter the market or were found looting, were shot and killed.

**1.23.4 The AFRC Loses Control**

**1.23.4.1** Discipline broke down completely as the Chain of Command was disrupted. Armed soldiers took the law into their own hands and ransacked shops and business premises. Shops containing expensive imported luxury items were looted and the goods seized or sold far below their value. Businessmen of Asian origin, particularly Lebanese, Syrians and Indians, were singled out for assault and harassment.

**1.23.4.2** Impromptu road blocks were set up throughout Accra and other parts of the country. Civilians who were stopped at these roadblocks, and with rifles pushed into their faces, were asked: “Are you part of the problem or part of the solution?” Crude, humiliating, degrading, inhuman treatment and arbitrary torture were meted out to people believed to have committed various kinds of offences. These included, caning of people, especially traders (often after having been stripped virtually naked), detentions and dismissals from workplaces. The newspapers reported these incidents rather gleefully during this era. In short, the social class that was perceived to have wrecked the nation, ie those above 40 years of age, traders, Senior Military Officers, businessmen and women, were to be eliminated. Indeed, it was reported, and the Commission received evidence, that there was a list of 207 Senior Military Officers to be executed.<sup>59</sup>

<sup>58</sup> *Ghanaian Times* vol. 6,692 Friday, 15<sup>th</sup> June, 1979, p.1. “All Hoarders’ houses go down...Firing Squad to Follow”.

<sup>59</sup> Testimony of Osahene Boakye Djan to the Commission; also Kevin Shillington, *Ghana and the Rawlings Factor*, MACMILLAN, London and Basingstoke, 1992, p.51.

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**1.23.4.3** The military as an institution also suffered a great deal. This was an uprising that had been carried out by Junior Ranks. Most of the Senior Officers were removed from their positions and humiliated. They were replaced with junior officers. In this exercise, the Command Structure was severely damaged. This also heightened the state of indiscipline and insubordination among Junior Officers and Other Ranks. There was a total breakdown of law and order. Such chaotic situation created the platform for the violation of human rights. Arbitrary arrests, tortures, beatings, killings, abductions, detentions, threats, seizure of money and personal property and other forms of violence, became frequent events, as armed soldiers left barracks and roamed the streets

**1.23.5 The Police**

**1.23.5.1** On 26<sup>th</sup> June, 1979, policemen, taking a cue from the military, arrested their superior officers, and chased some out of their stations. This mutiny was quickly brought under control, as the AFRC stepped in to arrest the situation. A committee of inquiry was set up under the chairmanship of Captain Karl Huppenbauer of the Ghana Army, with the following membership: DSP Kwabena Addo Attuah, Dr Kofi Ankomah, Kwamena Ahwoi, WO II Adjei Boadi and Cpl AM Sumaila.<sup>60</sup>

**1.23.5.2** This committee was tasked to investigate the disturbances, and it made recommendations which resulted in the dismissal of several police officers, including many senior officers. Many of these dismissed officers, complained that they had not even been invited to appear before the committee, and others, that the committee's findings were completely at variance with the evidence that was provided to it.

**1.23.6 The Prisons Service**

**1.23.6.1** The junior ranks within the Prisons Service also mutinied, following on the heels of their colleagues in the Armed Forces and in the Police Service. The government set up a Committee of Enquiry under the chairmanship of Dr Kwame Frimpong of the Faculty of Law, University of Ghana. This committee presented its report in 1980, and a Government White Paper accepting the recommendations was published in August, 1980. This committee examined the grievances of the junior officers and made recommendations leading to the abolition of the Escort Class, ie the illiterate prison officers. The issue of delayed promotions was also tackled, to ensure that issues of career-progression would receive appropriate attention.

**1.23.6.2** Prison conditions were also tackled, with the committee recommending that the pan-latrine system ought to be phased out and water closets provided. Only a few of the recommendations were implemented before the government was overthrown the following year.

**1.23.7 The 1979 Elections**

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<sup>60</sup> Oquaye, supra, p.151.

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**1.23.7.1** The electoral time-table had already been set, and political campaigns were in full swing when the 4<sup>th</sup> June mutiny occurred. The leaders of the political parties sought audience with the Chairman of the AFRC, who assured them that elections would be permitted to proceed as planned.

**1.23.7.2** Parliamentary and Presidential elections took place on 18<sup>th</sup> June, but no clear winner emerged, and as the new Constitution provided for an Executive President, there had to be run-off elections. These elections were fixed for 9<sup>th</sup> July, 1979 between Dr Hilla Limann of the People's National Party (PNP) and Victor Owusu of the Popular Front Party (PFP). Dr. Limann emerged the winner, and arrangements were made for the handing over ceremony fixed for 24<sup>th</sup> September, 1979.

**1.23.8 Split Within The AFRC**

**1.23.8.1** Soon after its establishment, the AFRC began to experience a power struggle between the Chairman, Flt Lt Rawling, and the Spokesman, Capt Kojo Boakye Djan. This power-struggle took on an ethnic dimension that came close to splitting the ruling body into two parts, even before the handing over date. It would seem that the AFRC, as an entity, would not have lasted had it clung to power for a further month. .

**1.23.8.2** Evidence before the Commission indicates that the differences between the two leading personalities of the AFRC were also exacerbated by their adoption of opposing views to the issue of handing over power to the elected civilian government. These differences boiled over into a near shoot-out between the factions the day before the handing over ceremony, and bloodshed was averted, only by divine intervention.

**1.23.9** In their avowed effort to do a "house-cleaning" exercise, the AFRC rather promoted indiscipline and violence in the Armed Forces. The result was the breakdown of command and control leading to national insecurity and instability. Their price control activities pushed the economy into chaos and our foreign trade partners placed embargos on our trading activities. Since that fateful period, the nation has been struggling to deal with the problems of national security that were unleashed by the event. Gross human rights violations were perpetrated by the regime and subsequently the members of the Armed Forces have used their weapons to terrorize civilians.

**1.24 24TH SEPTEMBER, 1979 -- 30<sup>TH</sup> DECEMBER, 1981:****THIRD REPUBLIC****1.24.1 The Transition**

**1.24.1.1** The Third Republic was then ushered in with the formal inauguration at the Parliament House in Accra, on the 24<sup>th</sup> September, 1979. At the handing over, Flt Lt Rawlings told President Limann that his government was on probation. President Limann was faced with the problem of what to do with the AFRC members because they were all in active service. A decision was taken to resettle them by sending them

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abroad to undertake academic studies and further training. The PNP Government therefore secured a loan of one million dollars (US \$ 1,000,000) from an Italian, Chiavelli, ostensibly to resettle the members of the AFRC and their associates. Evidence before the Commission showed that some AFRC members took their share, whilst others did not. In the event, some went abroad, and some remained in Ghana.

**1.24.1.2** Flt Lt Rawlings opted to go back into the Air Force. This decision had serious implications for Command and Control. For instance, soldiers still looked upon him as “Chairman”, and the “Office of Chairman of AFRC” continued to operate, with the former Chairman continuing to take on the resolution of welfare problems of soldiers. This was clearly an untenable state of affairs and injurious to national security, and something had to be done.

**1.24.2 The Limann Government And National Security**

**1.24.2.1** On 27<sup>th</sup> November, 1979, Flt Lt Rawlings was retired from the Armed Forces by the government. This caused a lot of ill-feeling in him towards the Limann Government.

**1.24.2.2** The leadership of the Security Services at the time, had been appointed by, and worked with, the AFRC, and so this presented difficulties for the new administration as their loyalty to the new government could not be guaranteed. To make matters worse, the CDS, Brig Joseph Nunoo-Mensah and the Army Commander, Brig Arnold Quainoo were not on cordial terms, and this presented further problems for national security.<sup>61</sup> At the end of November, 1979, the heads of the Security Services were retired by the government. These were: Brig Nunoo-Mensah, Brig Arnold Quainoo, CO Lamptey, the IGP and Kofi B Quantson, Director of Special Branch. Other military personnel who had participated actively in the AFRC were also retired.

**1.24.2.3** The Director of Military Intelligence, Col Prince Twumasi-Ankrah left Ghana to become a Defence Attaché in India and the Army Commander, Brig. Israel K Amuah, went abroad on course, and did not return. All these incidents affected the stability of the government and security of the State.

**1.24.2.4** The government was accused of harassing Flt Lt Rawlings (Rtd) and Capt Kojo Tsikata (Rtd), as the latter had by 1981, been put under overt surveillance, by Military Intelligence. Indeed Capt Tsikata took action in court, and won against the Military Intelligence when they crashed his car.

**1.24.2.5** There were many security reports on the apparently subversive activities of Flt Lt Rawlings (Rtd), but the government could not authorise firmer action against him despite the obvious threat that he posed to the security of the State. On at least one occasion, he was interrogated on a report, but he was released, contrary to the expectations of members of the security forces.

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<sup>61</sup> Eboe Hutchful, “Reconstructing Civil-Military Relations And The Collapse Of Democracy In Ghana”, 1979-81 *African Affairs* (1997) Vol 96, pp 535-560 at p. 539.

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**1.24.2.6** There were many other coup plots then brewing, and it seemed as if there was a new one every month. Clearly the Military, particularly the Junior Officers and Ranks, had got restive, since they had tasted the spoils of office, but for too brief a period.

**1.24.3 Factors Facilitating The Coup D'état Of 31<sup>st</sup> December, 1981**

**1.24.3.1** Certain factors facilitated the success of the coup d'état. The working relationship between the Minister of Defence, Honourable Riley Poku and the CDS, Air Vice-Marshal Odaatey Barnor was poor, and it was a major factor for gross inaction on the part of both the government and the military commanders to prevent the 31<sup>st</sup> December, 1981 coup d'état. The following graphic account of the poor working relations between the government and security chiefs is given by one author in these words:

In April 1981, Lt. Col. Odjidja, the Director of the Military Intelligence (DMI), addressed a report<sup>49</sup> to the Minister of Presidential Affairs, the Coordinator of National Security, warning of danger posed by the escalating conflicts between the Minister and his military chief. In this report the DMI blamed the Minister for these conflicts, citing his 'School masterish' attitude, a reference to Riley Poku's profession as school master, and poor human relations with both his senior commanders and the Deputy Minister. The DMI made a long list of charges against the Minister, including undue interference in the day-to-day administration of the armed forces, disregard for the chain of command, disrespect for the CDS, and senior commanders, and interference with command appointments and alleged that service commanders and senior military and civilian officers in the Ministry were unhappy with the Minister... In an interview on 24<sup>th</sup> July 1995 with John Nabila the then National Security Coordinator, he expressed the view that 'such disagreements at the core of power were progressively to turn a conflict between the officers and ranks into a conflict between the Minister and the CDS. In turn, this compromised the ability of both the government and the military high command to respond to the looming threat from below.'<sup>62</sup>

**1.24.3.2** Evidence before the Commission indicates that Command and Control Structures had completely broken down, and part of the vacuum created had been filled with armed factions and groups, each wielding considerable power. This situation created an environment of distrust, even within the High Command echelon, to the extent that the CDS could not entrust his senior Commanders and Staff Officers with tasks that in normal times would be handled by them.

**1.24.3.3** The Officer Corps had also been gripped with the fear of Other Ranks to the extent that officers could not exercise their normal leadership roles over their men and women for fear of incurring their displeasure and subsequent retribution which

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<sup>62</sup> Hutchful, supra, p. 550

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was always violent and humiliating. This aspect of fear was one of the tangible spill-over effects from the 4<sup>th</sup> June, 1979 mutiny.

**1.24.3.4** It is on record that the coup d'état began with just ten men with the number swelling to about thirty-three by the end of the operation.<sup>63</sup> It is, however, noteworthy that the only unit to react in defence of the government was 2<sup>nd</sup> Infantry Battalion stationed in Takoradi. The Commanding Officer, Lt Col Samuel K. Ofosu-Appiah had earlier on been keeping his Brigade Commander, Col Michael Abana regularly briefed about the involvement of some of his men in this plot to overthrow the government. On 23<sup>rd</sup> December, 1981, he had these thirteen men arrested and with the help of the Air Force Station Commander in Takoradi, Wing Commander Albert Nkansah, flew them to Accra from where they were sent to the Nsawam Medium Prisons for detention.

**1.24.3.5** On Thursday, 31<sup>st</sup> December, at about 8.30 a.m. when Lt Col Ofosu-Appiah received instructions in a radio conference with the 1 Brigade Commander, Col Michael Abana, to despatch two Calgustav anti-tank weapons to him, he immediately sensed that there was a serious trouble in Accra and instead of complying with the Commander's instructions, he decided to move his unit down to Accra.

**1.24.3.6** Unfortunately, he had transportation capacity to move only a little over half a company strong of four officers and sixty seven men. With limited manpower, firepower and Fighting vehicles, the defence offered by Lt Col Ofosu-Appiah and his troops from 2Bn could only be minimal. Some of the 2Bn soldiers were ambushed near the Military hospital and many casualties were sustained. Lt Col Ofosu-Appiah, having failed in his mission fled into exile, as did those soldiers who had betrayed the plot to the authorities at 2BN. Lt Col Ofosu-Appiah, must be commended for his initiative, courage and leadership, and the Officers and men of 2Bn for their bravery, loyalty and their effort to defend the Constitution.

**1.24.4 Conclusion**

President Limann assumed office at a very difficult time, and his efforts to return security and stability to the country, were undermined by his own party, and the effect of differences between his Minister of Defence and his CDS. Rampant coup plots stretched the resources of the Security Services, and the inability of the Intelligence institutions to react effectively to Intelligence Reports about imminent coups, especially the 31<sup>st</sup> December coup d'état, made the overthrow of the government inevitable.

**1.25                    31<sup>ST</sup> DECEMBER, 1981-6<sup>TH</sup> JANUARY, 1993:  
PROVISIONAL NATIONAL DEFENCE COUNCIL (PNDC)**

**1.25.1 The PNDC**


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<sup>63</sup> Matthew Adabuga's public hearing before the Commission.

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**1.25.1.1** The “constitutional peace” of the 3<sup>rd</sup> Republic was shattered when a group of ten serving and ex-military personnel, all junior ranks, led by Flt Lt Rawlings (Rtd) seized power again on the 31<sup>st</sup> December, 1981, 27 months into the term of the Limann Administration.

**1.25.1.2** The Commanding Officer of Recce Regiment, Maj Patrick Omane Collison, was shot and killed when attempting to reach an armoured vehicle in order to respond to the emergency. Two Military Intelligence (MI) NCOs, S/Sgt Seidu Azaah and S/Sgt Awudu were also shot and killed, although they were unarmed. Maj Dasana Nantogmah was also picked up from his office, a few days into the new regime and murdered in his uniform in the guardroom at the Air Force Base.

**1.25.1.3** So many were the killings in the guardroom of Air Force Base, Accra, that it quickly gained the nickname of “Slaughter House”.

**1.25.1.4** In the usual manner of seizures of power, the 1979 Third Republic Constitution was suspended, the members of the government were dismissed; Parliament was dissolved; and all political parties were banned. Members of Parliament of the PNP, the party leadership and other functionaries were ordered to report to the nearest Police station. For the first time, Members of Parliament of the minority parties were also ordered to report themselves, and they were all subsequently detained. The President and his Ministers were also arrested and detained for being criminals and running a government that was “the most disgraceful government in the history of the country”. Some of these persons were thereby forced to go into exile in the neighbouring countries.

**1.25.2 The Military Intelligence**

**1.25.2.1** The MI Directorate became a target for punishment on account of the unit’s surveillance and other intelligence activities against the coup plotters. MI personnel were arrested, brutalised and detained in prisons, some for upwards of five years. Even those who were on UNIFIL duties in Lebanon at the time, were arrested at the Airport on their return from operations; those on retirement before the coup d’état occurred, were also arrested and subjected to severe torture and detention. Some went into hiding in the country, and others fled into exile in the neighbouring countries. The directorate was eventually disbanded, and most of the members were either dismissed or released from service with retrospective effect from 31<sup>st</sup> December, 1981.

**1.25.3 The PNDC Begins To Rule**

**1.25.3.1** The Provisional National Defence Council (PNDC) was formed with Flt Lt Jerry John Rawlings as the Chairman. Flt Lt Rawlings did not rely on the military alone for the administration of the country but also on civilians. This is evident from the composition of the PNDC established on 2<sup>nd</sup> January, 1982, which consisted of four soldiers and three civilians:

- Brig Nunoo-Mensah (retired CDS of AFRC era),
- WO I Joseph Adjei Boadi (Co-ordinator of GAF Defence Committees),

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- Sgt Daniel Alolga Akata-Pore (then a student of University of Cape Coast and a member of MONAS)
- Chris B Atim (former NUGS Leader and General Secretary of June Fourth Movement),
- Joachim Amartey-Kwei, (dismissed worker and former divisional secretary of ICU at GIHOC)
- Rev Fr Dr Vincent K Damoah (a Catholic Priest, who had been suspended from the priestly ministry by the Catholic Church). The Ministry of Defence was placed under the PNDC Secretariat, and civilians were appointed for the other Ministries, and designated “Secretaries”.

The names of the first Secretaries were:

- B B D Asamoah, Secretary to the PNDC
- Dr Obed Yao Asamoah, Secretary for Foreign Affairs
- John Agyekum Kufuor, Secretary for Local Government
- Miss Ama Atta Aidoo, Secretary for Education
- KB Asante, Secretary for Trade
- Appiah Korang, Secretary for Fuel and Power
- Johnny Hansen, Secretary for the Interior;
- G E K Aikins, Secretary for Justice and Attorney-General
- Professor Bortei-Doku, Secretary for Agriculture
- Ato Austin, Secretary for Information
- Alhaji Iddrisu Mahama, Secretary for Transport and Communication;
- Asiedu Yirenkyi, Secretary for Culture and Tourism;
- Zaya Yeebo, Secretary for Youth and Sports
- Kwaku Ankomah, Secretary for Rural Development and Cooperatives
- Professor Mawuse Dake, Secretary for Works and Housing;
- Dr Kaku Kyiamah, Secretary for Industries, Science and Technology.<sup>64</sup>

They were appointed on Thursday, 21<sup>st</sup> January, 1982 and assumed duty on Tuesday, 25<sup>th</sup> January, 1982.

**1.25.3.2** There was no Secretary for Finance and Economic Planning but an Economic Review committee was established. Two prominent members of the Committee were: Dr Joseph LS Abbey, a former Economic Advisor to the NRC, SMC I & Commissioner for Finance in SMCII and advisor to AFRC governments; and Dr Kwesi Botchwey, a Senior Lecturer in Law at the Faculty of Law, University of Ghana, and of leftist ideological inclination.

**1.25.3.3** Apart from the PNDC and the Secretaries there were other organisations that assisted the government, all of which called themselves “progressive left wing organisations”. These were: the June Fourth Movement (JFM), the People’s Revolutionary League of Ghana (PRLG), the New Democratic Movement (NDM), the Africa Youth Command (AYC), the Movement for Peace and Democracy (MOPAD), and the Kwame Nkrumah Revolutionary Guards (KNRG).

<sup>64</sup> *Daily Graphic* Vol 9711, Friday, 22<sup>nd</sup> January 1982.



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**1.25.3.4** Others who were mobilised to support the PNDC were: the students of the universities, the rank and file of the Armed Forces, the workers, the rural wage labourers and the urban unemployed, and radical intellectuals, especially of the University of Ghana and University Cape Coast. The urban elite, the bourgeoisie, the professional elite, the technocrats and the traditional rulers on the whole stood aloof.<sup>65</sup> They would not associate themselves with Flt Lt Rawlings and his colleagues, because the rhetoric of the “Holy War” and later the “revolution” had a class bias, which favoured the “masses” and intimidated and alienated the “bourgeoisie”.

**1.25.3.5** There is credible evidence that there was an attempt to introduce ideological indoctrination into the barracks. A leaflet titled the “Revolutionary Catechism” made the rounds of military installations. This leaflet contained some dangerous ideas based probably upon Nihilist doctrines favoured by Vladimir Lenin of the Union of Soviet Socialist Republics, and is reproduced *in extenso* at the end of this chapter.

**1.25.4. Targeting The Well-to-do**

**1.25.4.1** The PNDC polarised the Ghanaian society into “Citizens” and “People”. The “Citizens” were those who were relatively well-off, and the “People”, those were in the working classes, the very junior officers and the unemployed. Many “Citizens”, presumed to be corrupt, were put before National Investigations Committee (NIC) and Citizens Vetting Committee (CVC) to explain their wealth or to explain how they came by the more than 50,000 cedis in their bank accounts. Soldiers were positioned behind such persons undergoing interrogation, and administered slaps, beatings and military drills, often under orders from civilian panellists.

**1.25.4.2** The “People” on the other hand, were organised into Workers’ or People’s Defence Committees (PDCs/WDCs) at the work-place and residential communities respectively. These organisations with manifestly political functions, were formed in the Security Services as well. The Armed Forces Defence Committees, Police Defence Committees and Prisons Defence Committees were formed in contravention of service regulations on participation in such organisations by serving personnel. At one point the AFDC insisted that promotions of Senior Officers were to be brought to them for approval. The operations of these organisations were bound to undermine discipline within the Security Services.

**1.25.4.3** The WDCs/PDCs operated the “People’s Shops” in residential areas, and at the work-places, they collected essential commodities from distribution centres for allocation to their co-workers. Many who received goods at control prices turned round and sold some of their allocation at *Kalabule* prices to market women. However, on the swoops at the markets for price control checks, some of the women traders, who may have obtained their supplies from allocations to members of Security Services, were among those who fell victim to the molestation, flogging and other acts of humiliation and degrading treatment that were meted out to such traders.

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<sup>65</sup> See, Shillington, *supra*, p.89; also, A A Boahen, *The Ghanaian Sphinx: Reflections on the Contemporary History of Ghana, 1972-1987* Ghana Academy of Arts and Sciences, Accra, 1989, p43.

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**1.25.4.4** NCOs were seconded to public institutions and designated PNDC Liaison Officers. These persons were accused of high-handed behaviour in the institutions to which they were attached, as they appeared to have more authority over the retention of jobs in the organisation, than the chief executives.

**1.25.4.5** Some of the soldiers ill-treated and harassed civilians, seizing goods at the markets and shops and even at road barriers, and impounding travellers' goods at the airports, harbours and other points of entry. Some of them, on their own initiative, seized private cars, ostensibly for "operations", and crashed them or returned them in an unserviceable state only fit to be disposed of as scrap. Some entered homes, especially those of Lebanese and Syrians to extort monies from them, or to search and seize personal goods of persons they had targeted.<sup>66</sup> Killings were rampant and mostly carried out by trigger-happy men, sometimes in uniform. All these acts were carried out in the name of the revolution.<sup>67</sup>

**1.25.4.6 The February, 1982 Incident In Kumasi**

**1.25.4.6.1** In early February, 1982, the city of Kumasi witnessed the vicious attacks on, and burning of homes of members of "The Lord is My Shepherd Church", led by Odiyifo Asare. The members of this Church had beaten up and caused the death of an Army Medical officer, Maj Joe Darko who had attacked them while they were at worship on Sunday, 7<sup>th</sup> February, 1982. A policewoman, Cpl Joanna Essien, a member of the Church, who was alleged to have disarmed the Officer and whose jaw had been grazed by a bullet when the gun went off, became a target. The soldiers chased her to the Okomfo-Anokye Teaching Hospital where she had undergone surgery and was receiving blood transfusion. She was shot dead in her bed, and the doctor who performed the surgery on her had to escape from the hospital and out of Kumasi in his theatre-gown. He later left the country. Other patients on the ward, frightened by what had taken place, fled from the hospital.

**1.25.4.6.2** Kumasi was put under siege as soldiers set up road blocks on all exit points out of Kumasi and put down all passengers of vehicles leaving the city. Members of the church who had been arrested, were positioned at the barriers to identify their church members who were attempting to escape from Kumasi. Those so identified were arrested, taken to the office of 2 Brigade and 4Bn, detained and subjected to torture. At 4Bn, S/Sgt Nyamekye, a serving soldier and member of the church, was executed under a tree, and his blood spattered all over the ground. Later, seven male members of the church who had been arrested, were made to sit in the blood, subjected to horrendous torture and threatened with execution if the Odiyifo were not found by a certain day. They were rescued by WO I Adjei Boadi, member of the PNDC, who sent them to Kumasi Central Prisons to be detained for their own safety, and in order that they might be given medical attention. They were released three weeks later, when the fury of the soldiers had abated.

**1.25.4.6.3** Odiyifo Asare, who had gone into hiding, surrendered to the police on 9<sup>th</sup> February to stop the terror that had been unleashed on his church members. He was

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<sup>66</sup> Boahen , supra, p. 44.

<sup>67</sup> Shillington , supra, p.89.

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handed over to the soldiers, who paraded him through the streets of Kumasi, killed him at Kejetia and burnt his body. All his property, including his cars, were burnt, and so were houses whose tenants were members of the church. People in the central business district of Kumasi had to walk with their hands raised high up as a sign of surrender, for a number of days.

**1.25.5 The ARPB Publishes List Of Dead**

**1.25.5.1** At the end of July, 1982, the Association of Recognised Professional Bodies (ARPB) published a list of over 200 names of persons who had been murdered by soldiers since 31<sup>st</sup> December, 1981, and in which no prosecution had taken place or seemed likely to take place.<sup>68</sup> This list did not include those murdered by soldiers and pushed into a disused shaft, Mfantse Mine shaft, at the “ABA Mines” at Aboso, near Tarkwa, nor did it include many others in other parts in the country. There is no indication that apart from a few instances, any action was ever taken to punish the perpetrators.

**1.25.6 Burning Of Tamale Market**

**1.25.6.1** On the afternoon of Friday, 5<sup>th</sup> February, 1982, an Information Service Department van made an official announcement at the Tamale Central Market, that all traders were to leave the market by 6 p.m., and not return until Monday morning. Those who delayed leaving the market were molested and chased out. At dawn on Monday, 8<sup>th</sup> February, 1982, the market was set on fire by soldiers. Soldiers positioned themselves at the gates, firing indiscriminately, and thereby preventing the traders from entering the market to salvage their goods. A few traders whose stalls had not yet been reached by the flames requested the soldiers to permit them to retrieve some of their goods. In response to these requests, the soldiers poured petrol on, and fired into the sections not yet touched by the fire, thereby setting them ablaze. A mad man who attempted to pick up a piece of yam that had been roasted by the fire was shot dead, as was also a little school boy who was caught by a stray bullet as he watched the event from a distance. There was evidence before the Commission that some of the stalls had been looted before the burning. The market took a couple of days to burn to ashes, whilst the traders lamented their loss. Everything in the market, money, goods, sewing machines, bicycles, etc were all completely burnt.

**1.25.6.2** Traders and businessmen and women lost their capital, and many families became impoverished overnight. It was a great loss for Tamale in particular, and the Northern Region in general.

**1.25.6.3** Evidence before the Commission clearly showed that the Fire Service Department did not make any effort to put out the fire while the market was burning. Later, they held a Departmental Inquiry into the incident and concluded, in the face of overwhelming evidence, that the cause of the fire was unknown.

**1.25.7 Commandos**

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<sup>68</sup> Ibid. p 90.

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**1.25.7.1** The PNDC established two Commando Units, the Military and Police Commandos. In order to form the Military Commando Unit, some of the young men who had been recruited, originally to join the regular Armed Forces in 1983, were selected and given special training and appointed into the Public Service by the Public Services Commission. They were sent to Cuba for their initial training, which covered many military disciplines such as sniping and counter-insurgency tactics. On their return from Cuba, they were given further training at Asutsuare. Maj Courage Quashigah, Capt George Pattington and Capt Larry Gbevlo-Lartey were some of the officers from the regular Army who helped to establish the 64 Infantry Regiment, also called the Commando Unit. Some of the Commandos were stationed at the Castle, others at Cantonments, and also at Asutsuare. These were formed into three Companies namely: Alpha, Bravo and Charlie.

**1.25.7.2** By virtue of their training, ideological orientation and better motivation, they considered themselves superior to soldiers in the regular Army. They were very well equipped and very well paid, and operated under the office of the Co-ordinator of National Security.

**1.25.7.3** The Police Commandos were under the Command of one RSM Jack Bebli, a policeman who had left the Police Force before 31<sup>st</sup> December, 1981. On the official level, he reported to the Police Headquarters' Schedule Officer in charge of Operations through the Commander of the Armoured Car Squadron (ACS). Operationally, he could also report directly to the Commanding Officer of the 64 Infantry Regt. However, unofficially he reported directly to the Castle. All the personnel undertook regular training and were trained in the use of weapons such as, AK-47 assault rifles, rocket launchers, machine guns, hand grenades and other sophisticated equipment. The instructors were drawn from the Cuban Military, supported by Maj Quashigah, and Capt Pattington, and food ration was supplied by the regular Armed Forces. The Unit operated from a refurbished garage in the Cantonments Police Barracks in Accra. They worked in close collaboration with the Military Commandoes as both units were formed primarily to provide personal security and protection for Flt Lt Rawlings.

**1.25.7.4** There was a very uneasy and uncomfortable relationship between the Commandos and the other servicemen. The Commandos were, however, generally dreaded by the civilian population. There were complaints of killings, torture, intimidation, harassment and meddling in civil matters such as land disputes made against them.

**1.25.7.5** The BNI cells were places of detention and interrogation of a host of persons who were detained on suspicion of plotting to overthrow the government. The Commando Units were allowed access to BNI cells from where, masked, they removed detainees at midnight, blindfolded them and subjected them to gross methods of torture at various locations in Accra and Asutsuare. Some detainees died as a result of the torture. However, no accurate records of these persons were kept by the BNI, thus contributing to the number of persons now unaccounted for, and therefore listed as "disappeareds".

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**1.25.7.6** The Commandos were untouchable as they seemed to have had complete protection from the government, to do whatever they did. The following account given by one Kyereme Djan, a former student of the then University of Science and Technology, at his trial for attempting to overthrow the PNDC illustrates the power that these extra security services wielded:

I was arrested in the early hours of 30<sup>th</sup> October, 1985 at Community 11, Tema in our house. When I was arrested, I was taken to Police Headquarters on the Ring Road in Accra. I was kept in cells at the Police Headquarters. I was called to the counter around 8:00pm or thereabout and one Jack Bebli asked the counter man to release me to him and four other soldiers all holding guns. When the counter policeman refused on the grounds that I was detained on the instructions of the IGP and that I could only be released on his instructions, Jack got angry and said, “fuck the IGP! If you don’t want what will happen to this chap to happen to you then just release the chap.” The counter policeman then released me to them.<sup>69</sup>

**1.25.7.7** The Deputy Director of BNI at the time, Peter Nanfuri, complained to the Public Tribunal trying Kyereme Djan and others for subversion that the Commandos were so powerful that he was powerless to restrain them from torturing suspects in the custody of the BNI.<sup>70</sup>

**1.25.7.8** The presence of the Police Commando Unit heightened indiscipline in the Service. Control over weapons was difficult as the group was also armed. As service logistics and other resources continued to diminish, the Commando Unit appeared not to be under any resource-constraints.

## **1.25.8 The Murder Of The Judges And Retired Army Officer**

**1.25.8.1** Perhaps one of the biggest human rights tragedies ever to have hit Ghana, was the kidnapping and murder of three High Court Judges, and a retired Army Officer, Mrs Justice Cecilia Koranteng-Addow, Mr. Justice Kwadwo Agyei Agyepong, Mr Justice Fred Poku Sarkodee and Maj Sam Acquah, the Group Personnel Manager of the Ghana Industrial Holding Corporation (GIHOC). They were abducted during curfew hours of 30<sup>th</sup> June, 1982 from their homes, driven to the military range at Bundase in the eastern Accra Plains, about fifty kilometres from Accra. They were found to have been murdered by L/Cpl S K Amedeka, L/Cpl Michael Senyah, Johnny Dzandu and “Tonny” Tekpor, who also attempted to burn the bodies to conceal the crime. They would have been successful, but for the timely intervention of a rain storm, that prevented the bodies from being burnt beyond recognition.

**1.25.8.2** The nation stood silent in shock and grief, and the world was stunned by what had happened in Ghana. The PNDC denied complicity even though one of the persons implicated in the abduction and murder, Amartey-Kwei, was a member of the

<sup>69</sup> See George Agyekum *The Treason Trial of 1986*. Justice Trust Publications, Cantonments, 2001, Accra, p.162.

<sup>70</sup> Ibid.

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PNDC. In addition, Capt Kojo Tsikata, the Head of National Security and Security Advisor to the PNDC, four soldiers and two ex-soldiers were also found to have been involved in the conspiracy to kidnap and kill the victims. The Special Investigation Board (SIB) under the chairmanship of a former Chief Justice, Mr. Justice Samuel Azu Crabbe enquired into the incident.

**1.25.8.3** The SIB's work was supported by the investigations of the Police Investigating Team, originally headed by Deputy Commissioner of Police (CID) Daniel K Nzeh, but later taken over by his deputy, Chief Superintendent Jacob Jabuni Yidana, who did a splendid piece of investigation to unearth the culprits. The other members of the original team were:

Tetteh Ahinakwa	Assistant Commissioner of Police
P Agboba	Deputy Superintendent of Police
Edmund Ohene-Asah	Deputy Superintendent of Police
Kwabena Gyamfi	Assistant Superintendent of Police
William Oduro	Assistant Superintendent of Police
JF Tordimah,	Detective Chief Inspector
Samuel Adu-Darko	Detective Inspector
Akoto Bamfo	Detective Corporal; and
MA Musah	Detective Corporal.

**1.25.8.4** Some of these officers left the team before it began its work, or before the investigation had travelled any distance. Of those left, Yidana, as well as almost all the members of the team, paid a price for their efficient conduct of the investigations and display of professionalism. Some wound up in prison, and others in exile. As the then Head of BNI, Kofi B. Quantson has stated in confirmation of the claims of threats and harassment meted out to the members of the Police Investigations team, the police officers

were in danger, not because they were traitors. They were in danger because in the performance of their professional duties they had become targets for persecution and probably elimination... I recall the pathetic case of Mr. Dan Nzeh, then head of CID... He had to flee the country to the UK... Dan died in exile... And I was certainly sorry for the way my friend Yidana was persecuted.<sup>71</sup>

**1.25.8.5** Chief Superintendent Yidana was actually arrested, prosecuted and convicted for harbouring a fugitive from justice, Lt Ken Korah, even before the Final Report of the SIB was issued. Although there was evidence before the Public Tribunal that Yidana had not been staying in the house, and none that he even knew of the man's presence in his house for one night, he was still convicted. He, his wife, Victoria, two of his friends Yahaya Seidu and Alhaji Mumuni Baba, who just chanced by the house and gave a lift to Lt Korah upon request, were tried for the offence and convicted. Fortunately for Mrs Yidana, she had by then fled into exile. Yidana was sentenced to eight years' imprisonment, but contrary to prison regulations, he served eight calendar years, thereby being deprived of the automatic one-third remission of

<sup>71</sup> KB Quantson, *Ghana: NATIONAL SECURITY...The Dilemma*, NAPASVILLE VENTURES, A 2003, p.183.

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sentence enjoyed by every prisoner in Ghana. ASP William Oduro, fled from prison during the jail break of 19<sup>th</sup> June, 1983 while in detention for alleged subversive activities. Both these officers insist that the charges against them were false. Others, such as Nzeh and Ohene-Asah, fled into exile after being dismissed for no stated cause, and Detective Corporal Musah was briefly detained, handed a Letter of Transfer to Kumasi, and made to leave Accra the same day.

**1.25.8.6** On the available evidence, these police officers suffered a great deal for the competent manner in which they performed the work assigned to them. They deserve the nation's commendation and recognition for not retreating when it became obvious that they would be confronting persons within the highest echelons of power, and in the face of massive official intimidation and harassment. As Quantson has again stated:

To be asked to investigate murders of the nature committed under circumstances that suggested high-level political involvement in near chaotic revolutionary conditions, is to be asked to sign and execute your own death warrant... All those involved in those dangerous investigations deserve national honours.<sup>72</sup>

**1.25.8.7** A question that requires reflection is this: If Joachim Amartey-Kwei was the only high-ranking member of the PNDC involved in the murders, then who was behind all the harassment that members of the team suffered after he was detained, and even many years after he was executed?

**1.25.9 Destabilisation Attempts.**

**1.25.9.1** There was considerable opposition to the PNDC Regime, as evidenced by the large number of coup plots and coup attempts. There were as many as seven of them between March, 1982, and June, 1983. The PNDC dealt ruthlessly with persons accused of involvement in these incidents. Almost all persons alleged to be involved were executed after being tried, sometimes in camera, at the Public Tribunals. These incidents cost Ghana a great deal in men, equipment and materials. In addition, a lot of arms and ammunition found their way into unauthorised hands. For instance, in March, 1982, one of those coups attempts resulted in the shelling of Gondar Barracks, and the resultant exposure of a large cache of arms and ammunition newly-imported into the country. This created a free-for-all scramble for the guns.

**1.25.9.2** On one of those coup-attempt situations, a Calgustav bomb landed in a private house at Teshie, causing many deaths and severe injuries to the occupants of the house. The military stopped the police from investigating the matter, but there is no evidence that there was ever a formal investigation into the event after collecting the pots and pans of one of the victims for further examinations.

**1.25.9.3 The 19<sup>th</sup> June, 1983 Coup Attempt And Its Aftermath.**

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<sup>72</sup> Quantson, supra, p 180.

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**1.25.9.3.1** On 19<sup>th</sup> June, 1983, there was a major attempt to topple the PNDC Government. This was perhaps the most daring and most serious attempt to overthrow the PNDC. This began with a jail-break at Ussher Fort, James Fort and, eventually, Nsawam Prisons. Most of the soldiers in detention were released, and many fled the country. Those who were re-arrested because they were returning to custody at James Fort Prison, were executed right in front of the prison gates. At Nsawam Prison, a prison officer was killed and one was injured, whilst one MI soldier was shot by the intruders.

**1.25.9.3.2** In the course of the foiling of the attempt, the PNDC caused an announcement to be made that anyone found in track suit was to be shot on sight. This created a serious panic because it was a Sunday morning, when many young men were out jogging, or playing various sports, and some, in track suits. There were a number of killings that day in consequence of these instructions.

**1.25.9.3.3** Following the suppression of the attempt, the government announced the commencement of an operation to flush out the dissidents, code-named ‘Operation Search and Destroy’. A number of people were killed as a result of the activities of the Operation Squad. Indeed, one was executed in broad daylight near the Adabraka Traffic lights at Farrar Avenue. On another occasion, two MI detainees who had escaped from prison on 19<sup>th</sup> June, and three or four civilians who had been arrested with them at the border with Cote D’Ivoire, were taken to the Border Guard Headquarters in Accra, and detained in the guardroom. While in detention several days later, and without the authority of the Commander of the Border Guards, Brig Albert Tehn-Addy, they were visited by WO I Adjei Boadi, who, in the name of ‘Operation Search and Destroy’, executed the unarmed men who had just finished their meal.

**1.25.9.3.4** There were trials *in absentia* of the 19<sup>th</sup> June coup plotters at the Public Tribunals, and some of them were sentenced to death *in absentia*.

**1.25.10 The February, 1985 Assassination Attempt In Kumasi**

In February, 1985, the Asantehene, Otumfuo Opoku Ware II, celebrated the Golden Jubilee of the restoration of the Asante Confederacy, in Kumasi. The main event was a durbar at the Kumasi Sports Stadium, which was to be addressed by the Head of State, Flt Lt Rawlings. Later, it transpired that a plot had been hatched to assassinate the Head of State at that function. The Military authorities received information on the plot and moved swiftly to arrest the culprits. A private house in which one of the dissidents was suspected to be hiding was ransacked and then dynamited. Many young soldiers were allegedly involved in the plot and it led to the subsequent arrest and torture of the suspects, one of whom, Cpl Anthony Yeboah, is still listed as having disappeared while in custody. Those who survived the excruciating tortures administered to extract information, remained in detention in prison until 1992.

**1.25.11 Killings at Air Force Station, Accra**



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**1.25.11.1** On 23<sup>rd</sup> March, 1984, dissidents led by L/Cpl Alidu Giwa entered Ghana from La Cote D'Ivoire to overthrow the government. They were arrested and sent to the 3Bn at Sunyani. The process of arrest involved a shoot-out, and so some of them had been wounded. A team of Commandos were sent from Accra to airlift them from Sunyani to Accra. From Togo, another group that had infiltrated the country by boat in order to link up with the Côte D'Ivoire group, was discovered in the Ningo area, and arrested by the local PDCs. The two groups were taken to the Air Force Station on Saturday, 24<sup>th</sup> March, 1984. Some had been wounded, and one was on a stretcher, but they were all in chains. After a brief interrogation, they were executed one after the other, by firing squad.

**1.25.11.2** The interrogations and executions were video-taped by Riad Hozaifeh at the instance of the Chairman of the PNDC. The following Monday, it was reported in the newspapers that three 'dissidents', who had already been sentenced to death *in absentia* by the Public Tribunals, had been executed, and that some others had been killed in a shoot-out with the security services. It would seem, however, that about seven persons were executed at the Air Force Station that day, and not all of them had had death sentences imposed on them *in absentia*.

**1.25.12 Premature Releases From GAF**

**1.25.12.1** There were several instances of retirement of officers and discharge of men and women from service which did not follow the approved procedures for release. Officers were not served with the notification for "Intended Release" which gave them the right to respond to, and accept the reasons for their release, and other ranks were summarily discharged without having the opportunity of being interviewed by their Commanding Officers, who would have informed them of the reasons for their discharge.

**1.25.13 Abuse Of Service Regulations**

**1.25.13.1** Soon after the PNDC came to power, an announcement went out that all dismissed personnel of the security services should report to their old units for re-engagement. Many of those who responded to the call were persons who had been dismissed for gross misconduct or serious offences. For instance, L/Cpl Samuel Amedeka, the leader of the gang that murdered the Judges, had previously been dismissed from the Army for rape. These unsavoury characters went back into the Armed Forces, got back their military uniforms, and were provided with arms and ammunition. Some of them immediately proceeded to settle scores with those they held responsible for their original dismissals. These "returnee soldiers" were also not restored to the pay rolls immediately, leaving them with a great temptation to use their new-found power to secure a means of livelihood – and many used their weapons to commit crimes against the general populace. It took some time before they were screened, and then formally re-engaged.

**1.25.13.2** Various security and para-military agencies set up their own detention centres and created their own adjudicating systems. These institutions operated as if they were a law unto themselves, and for all practical purposes, were above the law.

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**1.25.13.3** Service personnel suffered some of the worst forms of abuse. For the military, provision was made for the establishment of Military Tribunals with power to sentence to death, without legal assistance, without legal presence on the panel and without right of appeal.<sup>73</sup> The jurisdiction of these tribunals covered civilians, serving and retired personnel, as well as deserters from the GAF. Any soldier who fell foul of the law ran the risk of receiving a less than equal measure of justice from his own institution.

**1.25.13.4** There was rampant use of detentions for service personnel. Whenever allegations of coup plotting were made, service personnel implicated were immediately arrested, tortured and detained. Sometimes they were not even allowed to inform any one of their mishap, with the result that for some of them, no one knew why or where they had been detained, and on their release, they discovered that the Armed Forces Records Office had not even been made aware of their absence from their units. Some of those arrested were not even interrogated, before being sent to prison, for as long eight years, in some cases. Many of such service personnel were informed that within a few days of their detention, all their personal belongings had been stolen. Contrary to Armed Forces Regulations, there was no publication covering such detention. For some of them, it took about two years before an Executive Instrument was made, to give retrospective effect to the detention.

**1.25.14 Dismissals In The Police Service**

**1.25.14.1** The invitation that went out that all dismissed personnel of the security services should report to their old units for re-engagement, also affected the police. Many of those who responded to the call were persons who had been dismissed for gross misconduct, or serious offences. For instance, RSM Jack Bebli, the leader of the Police Commandos, had left the Police Service years earlier, but returned when the PNDC came to power. These unsavoury characters got back into uniform, and acquired political power, as well as arms and ammunition. Some of them immediately proceeded to settle scores with those they held responsible for their original dismissals. These “returnees” posed a disciplinary problem as many could not be controlled by the Service Hierarchy because their source of power and their loyalties, lay outside the service.

**1.25.14.1** In the Police Service, some of the worst forms of victimisation and arbitrary dismissals occurred during this time. In 1988, the Police Service (Amendment) Law, 1988 (PNDCL 194A) was enacted. Made on 18<sup>th</sup> March, 1988, and gazetted on 29<sup>th</sup> December, 1989, this Law, composed of two sections only, provided that the PNDC had power to dismiss and remove officers from the Service, and ousted the jurisdiction of the courts in case of such action against any officer. A number of senior and junior officers were victimised by this law since they were unable to challenge the bases of their removal or dismissal from office.

**1.25.15 Prison Service**

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<sup>73</sup> Special Military Tribunal (Amendment) Law, 1984 (PNDCL 77); Special Military Tribunal (Amendment) (No.2) Law, 1984 (PNDCL 100).

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**1.25.15.1** Most of the abuses suffered by prisoners and detainees in prison were perpetrated by Prison Officers. Contrary to Prisons Service Regulations and Standing Orders, Prison Officers maltreated the detainees physically, or subjected them to very poor diet, very bright lighting and insanitary facilities in the cells. The use of leg-irons and “monkey-chains”, on prisoners, often without just cause violated the rights of the prisoners.

**1.25.15.2** Prisons Regulations have always had clear orders regarding death by hanging. Therefore, in the wake of the amendment to the Criminal Procedure Code which made it possible for persons sentenced to death to be hanged or to be executed by firing squad, and which made it unnecessary for the location of the execution to be stated by the sentencing judge, the ground rules for executions were completely changed. Death by firing squad was not part of the training of prison officers, and so they were undertaken by the police or the military. Without prior knowledge of where the execution would take place, the Prison Officers could not make the necessary preparations for proper burial, leaving them with unclear orders as to how to dispose of the remains of those so executed. It was therefore inevitable that those executed by firing squad, could not be accorded the decorous burial forms and rites prescribed under the regulations.

**1.25.15.3** Evidence the Commission found, upon conducting exhumations, was that several bodies were placed in unmarked graves, or lumped together, wrapped only in woollen blankets and wearing everyday apparel, including footwear, wristwatches, etc without any coffins. This constituted a violation of the executed persons’ right to dignity in death.

**1.25.16 The People’s Militia**

**1.25.16.1** The organization of People’s Militias was one of the concepts pushed by the revolutionaries in order to serve as a counterpoint to the dominance of the military over weapons of violence. They were thus a manifestation of the PNDC leadership’s concept of the “democratization of violence” – a notion that when everyone was able to wield arms then the military’s monopoly over the use of violence would be broken, and their capacity to bully civilians undermined. These militias were recruited from the ranks of ordinary people who wished to volunteer for such activities.

**1.25.16.2** Persons from various parts of the country underwent training in shooting at Military installations<sup>74</sup> and then were assigned various tasks. Those at the borders helped to check smuggling, whilst those at the harbour checked Port Security and non-payment of appropriate customs dues. Military personnel in active service were assigned to take charge of the Militias. For instance, S/Sgt Tornyeviadi and WO I Kwabena N Nkwantabisa were in charge of the Volta Region People’s Militia and the Tema Harbour Militia respectively. In 1984, Pond and Sea Fishermen were given military training to counter any invasion by sea, and to combat smuggling by sea. The

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<sup>74</sup> *Ghanaian Times*, vol 8089 Tuesday, 3<sup>rd</sup> January, 1984, back page.

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training, carried out by soldiers of Field Engineers led by Maj A.A. Donkor and WO I Andreas Tetteh, was code-named “Operation Shoot To Kill”.<sup>75</sup>

**1.25.16.3** On account of the nature of their tasks and the fact that it was a volunteer organization, it attracted mainly persons who were not otherwise gainfully employed. They wielded great power and were fully armed, although they were not paid a salary. The result of such combination of factors was a group of persons trained in the handling of weapons, provided with weapons and with responsibility, but receiving no official income.

**1.25.16.4** Many of the abuses and fatal shooting incidents perpetrated by the militiamen stemmed from these operational factors. Indeed, in October, 1988, Militias attacked a village, Agortime-Afegame, in the Volta Region, ostensibly to check smuggling, and caused over 200 hundred of the villagers to take refuge in Togo. These refugees had to be hosted by the Togolese Government in a Refugee Camp in Togo.

**1.25.16.5** The Militias were later reorganised and put under proper Command under Col Alex Antwi and then Brig Tehn-Addy, and re-named The Civil Defence Organisation (CDO).

**1.25.17 Abuse Of Custodial Facilities**

**1.25.17.1** The rules regarding the use of custodial facilities at police stations were completely disregarded, leading to the many illegal detentions by service personnel that occurred. Soldiers had unrestricted use of police cells and were not required by anyone to indicate the reason for which a suspect had been arrested. They also expected the police to hold whoever had been taken into the cells until they themselves returned for them. This led to detentions in police cells, often for no just cause, for an indeterminate length of time

**1.25.17.2** In the various prison establishments, prison officials, in flagrant disregard of service regulations, accepted persons into their custody without any warrants. Such conduct resulted in persons remaining in the prisons, only because the soldiers who took them there had forgotten to go back to secure their release.

**1.26 Events Of 1992**

**1.26.1** After considerable pressure from international and national quarters, the PNDC decided to return the country to constitutional rule. The Constitution was drawn up and promulgated in 1992. Presidential and Parliamentary elections were slated for November and December, 1992, respectively.

**1.26.2** Many of the detained service personnel were released from detention in April, 1992. Some had been in detention for so long that they had lost all family and become destitute. Many left Ghana to go into exile in the neighbouring countries.

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<sup>75</sup> *Ghanaian Times*, vol 8104 Friday, 20<sup>th</sup> January, 1984, p.1.

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**1.26.3** During the electioneering campaign, there was great tension. Soldiers were deployed in Kumasi to keep order, but it was generally felt that they had been deployed to intimidate the electorate. After the end of the Presidential Elections, the Chairman of the PNDC, who had retired from the GAF in obedience to the dictates of the Constitution, and had been nominated as the Presidential Candidate of three political parties which had formed an alliance – the Progressive Alliance - was declared the winner. Some of the opposing parties decided to boycott the Parliamentary Elections, citing electoral irregularities. Some activists of opposing parties in Kumasi, in particular, were arrested to be sent to Accra. One of them, Nana Yaw Boakye, an ex-serviceman refused to permit his arrest and held the military to a two-day gun battle. He later surrendered, but not before a number of people had been injured by stray bullets and one had been killed. All the arrested persons were transported to Accra by helicopter, and detained for two weeks in BNI cells. They were later released without charge.

**1.26.4** On 6<sup>th</sup> January, 1993, a number of senior Police Officers were dismissed or retired prematurely. Some of these persons insist that their vigilance during the electioneering campaign caused the abrupt termination of their careers.

## **1.26 INTELLIGENCE FABRICATION IN GHANA'S SECURITY SYSTEM**

**1.27.1** Information received and acted upon by intelligence-gathering organisations of the Security Services in the country was sometimes defective, or even fabricated. Such fabricated information led to the arrest, detention and maltreatment of people on whom such false reports had been made. The maltreatment of these people was sometimes brutal, resulting in serious injuries and, in some cases, deaths. As expressed by a former Head of Intelligence Services:

Over the years so much incalculable harm has been done to so many people because of false reports that have been made against them. Some of the victims suffered unduly long periods of detention. Some suffered physical and mental brutalities. Some lost their lives. Some had disrupted marriages. Some completely lost their means of livelihood because of the processes they had to endure in the security system. Worse still some got devastated by the stigma that they had come to security notice. The stigma stuck to some of them stubbornly and unshakeably forever... Really of all the people who have created problems for security over the years, the most dastardly are those who come peddling damaging fabricated reports. Without exception fabricators and peddlers spring into action the moment any government assumes office.<sup>76</sup>

**1.27.2** It would thus seem that some members of the civilian population were the ones who, knowing the inadequate investigative resources of the Security agencies and consequently what suffering would be unleashed on their victims, used the Agencies

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<sup>76</sup> K B Quantson, *GHANA: PEACE AND STABILITY Chapters From The Intelligence Sector*. NAPASCOM LTD Accra, 2000 pp.107-108.

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for their own purposes, thereby bearing moral responsibility for the abuses perpetrated against others.

**1.28 CONCLUSION**

**1.28.1** The PNDC came to power after announcing what they called a “Holy War”, it proceeded to re-organise and re-order Ghanaian society. The PNDC preached left-wing philosophies and established bodies, called “revolutionary organs”. These organs polarized society, and created enmity between the unemployed, and working class persons on the one part, and middle-class and the well-to-do citizens, on the other.

**1.28.2** The Junior Ranks of the military were again in power, and without effective disciplinary control, they took the law into their own hands, harassed and brutalised the populace. They subjected the citizenry to gross human rights abuses that had a damaging impact on life in the country. The revolutionary organs existed within the Security Services too, and this affected Command and Control, as well as loyalty to the Republic

**1.28.3** The PNDC established new security units: the Military Commando Unit, the Police Commando Unit and People’s Militia or Civil Defence Organisation. The two former units were primarily for the security and protection of the Chairman of the PNDC, and the latter was a para-military organisation. These Commandos and Militiamen were also very brutal in their dealings with civilians. The Militias were responsible for some of the major upheavals that occurred, particularly in the Border areas as they were charged with the responsibility of checking smuggling and dissident activity.

**1.28.4** The atrocities unleashed on the Ghanaian population in the early part of the PNDC era, were matched only by what took place in the 112 days of the AFRC. Evidence before the Commission indicated that a document circulated in the barracks, especially among Junior Officers and Other Ranks, called “Revolutionary Catechism” that extolled Nihilist ideas. These ideas could very well have spurred soldiers on to persecute and eliminate where necessary, “enemies of the revolution”. The impact that these ideas might have had on the attitudes and behaviour of some of the soldiers during the hey-day of the “revolution”, makes it necessary for sections of it to be quoted in full:

**“THE REVOLUTIONARY CATECHISM***The Duties of a Revolutionary towards Himself.*

1. The revolutionary is a doomed man. He has no personal interests, no business affairs, no emotions, no attachments, no property and no name. Everything in him is wholly absorbed in the single thought and the single passion for revolution.

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2. The revolutionary knows that in the very depths of his being, not only in words but also in deeds, he has broken all the bonds which tie him to the social order and the civilized world with all its laws, moralities, and customs and with all its generally accepted conventions. He is their implacable enemy and if he continues to live with them it is only in order to destroy them more speedily.
3. The revolutionary despises all doctrines and refuses to accept the mundane sciences, leaving them for future generations. He knows only one science: the science of destruction. For this reason, but only for this reason, he will study mechanics, physics, chemistry and perhaps medicine. But all day and all night he studies the vital science of human beings, their characteristics and circumstances and all the phenomena of the present social order. The object is perpetually the same: the surest and quickest way of destroying the whole filthy order.
4. The revolutionary despises public opinion. He despises and hates the existing social morality in all its manifestations. For him, morality is everything which contributes to the triumph of the revolution. Immoral and criminal is everything that stands in its way.
5. The revolutionary is a dedicated man, merciless towards the State and towards the educated classes; and he can expect no mercy from them. Between him and them there exists, declared or concealed, a relentless and irreconcilable war to the death. He must accustom himself to torture.
6. Tyrannical towards himself, he must be tyrannical towards others. All the gentle and enervating sentiments of kinship, love, friendship, gratitude and even honour must be suppressed in him and give place to the cold and single-minded passion for revolution. For him there exists only one pleasure, one consolation, one reward, one satisfaction - the success of the revolution. Night and day he must have but one thought, one aim - merciless destruction. Striving cold-bloodedly and indefatigably towards this end, he must be prepared to destroy himself and to destroy with his own hands everything that stands in the path of the revolution...

**The Relations of the Revolutionary towards his Comrades**

7. The revolutionary can have no friendship or attachment except for those who have proved by their actions that they, like him, are dedicated to revolution. The degree of friendship, devotion and obligation towards such a comrade is determined solely by the degree of his usefulness to the cause of total revolutionary destruction...

**The relations of the Revolutionary towards Society.**

8. ... The revolutionary enters the world of the state, of the privileged classes, of the so-called civilization, and he lives in this world only for the purpose of

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bringing about its speedy and total destruction. He is not a revolutionary if he has any sympathy for this world. *He should not hesitate to destroy any position, any place, or any man in this world.* He must hate everyone and everything in it with an equal hatred. All the worse for him if he has any relations with parents, friends or lovers, *he is no longer a revolutionary if he is swayed by these relationships.*

(The italics in original.)

9. Aiming at implacable revolution, the revolutionary may and frequently must live within society while pretending to be completely different from what he really is, for he must penetrate everywhere, into all the higher and middle classes, into the houses of commerce, the churches, and the palaces of the aristocracy, and into the worlds of the bureaucracy and literature and the military, and also into the Third Division and the Winter Palace of the Tsar.
10. This filthy social order can be split up into several categories. The first category comprises those who must be condemned to death without delay. Comrades should compile a list of those to be condemned according to the relative gravity of their crimes; and the executions should be carried out according to the prepared order.
11. When a list of those who are condemned is made and the order of execution is prepared, no private sense of outrage should be considered, nor is it necessary to pay attention to the hatred provoked by these people among the comrades or the people. Hatred and a sense of outrage may even be useful in so far as they incite the masses to revolt. It is necessary to be guided only by the relative usefulness of these executions for the sake of the revolution. Above all, those who are especially inimical to the revolutionary organization must be destroyed; their violent and sudden deaths will produce the utmost panic in the government, depriving it of its will to action by removing its cleverest and most energetic supporters.
12. The second group comprises those who will be spared for the time being in order that, by a series of monstrous acts, they may drive the people into inevitable revolt.
13. The third category consists of a great many brutes in high positions distinguished neither by their cleverness nor their energy, while enjoying riches, influence, power and high positions by virtue of their rank. These must be exploited in every possible way. They must be implicated and embroiled in our affairs. Their duty secrets must be ferreted out and they must be transformed into slaves. Their power, influence and connections, their wealth and their energy will form an inexhaustible treasure and a precious help in all our undertakings.
14. The fourth category comprises ambitious officeholders and liberals of various shades of opinion. The revolutionary must pretend to collaborate with them, blindly following them while at the same time prying out their secrets until



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they're completely in his power. They must be so compromised that there is no way out for them, and then they can be used to create disorder in the state.

15. The fifth category consists of those doctrinaires, conspirators and revolutionists who cut a great figure on paper or in their cliques. They must be constantly driven on to make compromising declarations; as a result, the majority of them will be destroyed, while a minority will become genuine revolutionaries.
16. The sixth category is especially important women. They can be divided into three main groups. First those frivolous, thoughtless, vapid women whom we shall ... to use the third and fourth categories of men. Second women who are ardent, capable, devoted but who do not belong to ... because they have not yet achieved a passionless and austere revolutionary understanding: these must be used like the men of the fifth category. Finally there are women who are completely on our side- i.e. those who are wholly dedicated and who have accepted our programme in its entirety. We should regard these women as the most valuable of our treasure; without their help we would never succeed.

**The Attitude of Society towards the People**

17. The society has no aim other than the complete liberation and happiness of the masses - i.e. of the people who live by manual labour. Convinced that their emancipation and the achievement of this happiness can only come about as a result of an all-destroying popular revolt, the Society will use all its resources and energy towards increasing and intensifying the evils, and miseries of the people until at last their patience is exhausted and they are driven to a general uprising.
18. By a revolution the Society does not mean an orderly revolt according to the classic western model - a revolt which always stops short of attacking the rights of property and the traditional social systems of so-called civilization and morality. Until now such a revolution has always limited itself to the overthrow of one political form in order to replace it with another, thereby attempting to bring about a so-called revolutionary state. The only form of revolution beneficial to the people is one which destroys the entire state to the roots and exterminates all the state traditions, institutions and classes in Russia.
19. With this end in view, the Society therefore refuses to impose any new organization from above. Any future organization will doubtless work its way through the movement and life of the people. but this is a matter for future generations to decide. Our task is terrible, total, universal and merciless destruction.
20. Therefore drawing closer to the people, we must above all make common cause with those elements of the masses which, since the foundation of the state of Muscovy, have never ceased to protest not only in words but in deeds,

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against everything directly or indirectly connected with the state: against the nobility, the bureaucracy, the clergy, the traders and the parasitic kulaks. We must unite with the adventurous tribes of brigands, who are the only genuine revolutionaries of Russia.

21. To weld the people into one single unconquerable and all destructive force - this is our aim, our conspiracy and our task.

Such is the *Revolutionary Catechism* which was to have important consequences for the world, since it was read by Lenin and profoundly influenced him. Like Nechayev, Lenin was concerned more with destruction - terrible, total, universal and merciless destruction - than with the creation of a new world; and like Nechayev, too, he was determined that all the powers of the state should fall to the industrial workers led by a handful of dedicated revolutionaries, and that all the other classes should be abolished. The *Revolutionary Catechism* would be restated in the arid terms of Marxist philosophy, but in all its essentials it would remain the guiding principle of Lenin's political activity. One of the characters of Dostoyevsky's novel *The Possessed* is made to say "To level the hills is a good idea." Nechayev showed succinctly, clearly and almost without emotion how the levelling process could be carried out. Lenin carried it out..."